

# City of Kelowna Public Hearing AGENDA



Tuesday, April 26, 2016  
6:00 pm  
Council Chamber  
City Hall, 1435 Water Street

Pages

## 1. Call to Order

THE CHAIR WILL CALL THE HEARING TO ORDER:

1. (a) The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend *Kelowna 2030* - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

(b) All persons who believe that their interest in property is affected by the proposed bylaws shall be afforded a reason-able opportunity to be heard or to present written submissions respecting matters contained in the bylaws that are the subject of this hearing. This Hearing is open to the public and all representations to Council form part of the public record. A live audio feed may be broadcast and recorded by Castanet.

(c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after April 12, 2016 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.

(d) Council debate on the proposed bylaws is scheduled to take place during the Regular Council meeting after the conclusion of this Hearing. It should be noted, however, that for some items a final decision may not be able to be reached tonight.

(e) It must be emphasized that Council will not receive any representation from the applicant or members of the public after conclusion of this Public Hearing.

## 2. Notification of Meeting

The City Clerk will provide information as to how the Hearing was publicized.

### 3. Individual Bylaw Submissions

#### 3.1 889 McCurdy Place, BL11217 (Z16-0003) - P J S Holdings Ltd. 4 - 8

To consider a Rezoning Application on the subject property from the I1 - Business Industrial zone to the I2 - General Industrial zone to allow general industrial uses with outdoor storage.

#### 3.2 190 Homer Road, BL11218 (Z15-0044) - Kaskade Developments Group. Inc. 9 - 18

To rezone the subject property to facilitate the conversion of an accessory building into a carriage house.

#### 3.3 2970 Shayler Court, BL11219 (Z15-0056) - Bruce & Helga Morris 19 - 30

To rezone the subject property to facilitate a carriage house.

#### 3.4 990 Guisachan Road, BL11220 (OCP15-0019) & BL11221 (Z15-0065) - Strandhaus Developments Inc. 31 - 54

To amend the Official Community Plan to change the OCP Future Land Use designation to MRL and to rezone the subject property to the RM3 zone to facilitate a five unit multi family dwelling on the subject properties.

### 4. Termination

### 5. Procedure on each Bylaw Submission

- (a) Brief description of the application by City Staff (Land Use Management);
- (b) The Chair will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.
- (c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.
- (d) The Chair will call for representation from the public in attendance as follows:
  - (i) The microphone at the public podium has been provided for any person(s) wishing to make representation at the Hearing.
  - (ii) The Chair will recognize ONLY speakers at the podium.
  - (iii) Speakers are encouraged to limit their remarks to 5 minutes, however, if they have additional information they may address Council again after all other members of the public have been heard a first time.
- (e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep

the response to a total of 10 minutes maximum.

(f) Questions by staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.

(g) Final calls for resrepresentation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

Note: Any applicant or member of the public may use visual aids (e.g. photographs, sketches, slideshows, etc.) to assist in their presentation or questions. The computer and ELMO document camera at the public podium are available. Please ask staff for assistance prior to your item if required.

# REPORT TO COUNCIL



**Date:** April 4, 2016

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (TB)

**Application:** Z16-0003 **Owner:** P J S Holdings Ltd

**Address:** 889 McCurdy Place **Applicant:** Gord Anton

**Subject:** Rezoning Application

**Existing OCP Designation:** IND - Industrial

**Existing Zone:** I1 - Business Industrial Zone

**Proposed Zone:** I2 - Business Industrial Zone

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## 1.0 Recommendation

THAT Rezoning Application No. Z16-0003 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Strata Lot 23, District Lot 124, ODYD, Strata Plan KAS3323, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V, located on 889 McCurdy Place, Kelowna, BC from the I1 - Business Industrial zone to the I2 - General Industrial zone be considered by Council;

AND THAT the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

## 2.0 Purpose

To consider a Rezoning Application on the subject property from the I1 - Business Industrial zone to the I2 - General Industrial zone to allow general industrial uses with outdoor storage.

## 3.0 Community Planning

Planning Staff supports the proposal to rezone the subject property from the I1 - Business Industrial zone to the I2 - General Industrial zone to allow general industrial uses with outdoor storage on the subject property. The Official Community Plan supports more intensive use of under-utilized industrial sites, and encourages protection of existing industrial land. Rezoning the subject property to the I2 zone protects the industrial land supply and supports more efficient use of industrial sites in this area.

The main differences between the I1 and I2 zones are the permitted uses and regulations regarding outdoor storage. The I1 zone allows some light industrial and office uses, with limited

outdoor storage. The I2 zone permits a greater range of industrial uses and fewer restrictions on outdoor storage. Offices are not a permitted use in the I2 zone.

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbourhood consultation by informing all properties within a 50m radius of the subject property. To date, staff have received no response.

#### **4.0 Proposal**

##### **4.1 Background**

The Marshall Business Centre was created as a bareland strata industrial park in 2007 through rezoning and subdivision of a former Marshall Feedlot. The lots on the outside of McCurdy Place are zoned I2 and the inside lots were all originally zoned I1, intended for light industrial and office uses with limited outdoor storage. Several of the outer lots zoned I2 have been purchased and developed with various general industrial uses, including automotive, motorcycle and minor recreational vehicle retailers, manufacturing, and equipment sales and rentals. The majority of these uses involve some outdoor storage on the property.

One inner lot zoned I1 was developed in 2012 with two multi-unit buildings, on 840-842 McCurdy Place. Some units are occupied while others remain vacant, and there has been little interest in developing other lots under the I1 zone. In February 2015, five inner lots were rezoned from I1 to I2 to respond to the demand for industrial property zoned I2. The adjacent lot was rezoned from I1 to I2 in August, 2015. The applicant will not require a comprehensive development permit.

##### **4.2 Site Context**

The subject property is located within the Marshall Business Centre, southwest of the intersection of McCurdy Road and Highway 97 in the City's Highway 97 Sector. The property is designated IND - Industrial in the Official Community Plan and is within the Permanent Growth Boundary. The area surrounding the property is industrial.

Adjacent land uses are as follows:

<b>Orientation</b>	<b>Zoning</b>	<b>Land Use</b>
North	I2 - General Industrial	General industrial
East	I2 - General Industrial	General industrial
South	I2 - General Industrial	Vacant
West	I2 - General Industrial	Vacant

Subject Property Map:



## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

**Industrial Land Use Intensification.**<sup>1</sup> Encourage more intensive industrial use of currently under-utilized industrial sites during site redevelopment or by permitting lot subdivision where new lots can meet the minimum lot size requirements of the Zoning Bylaw.

**Industrial Supply Protection.**<sup>2</sup> Protect existing industrial lands from conversion to other land uses by not supporting the rezoning of industrial land to preclude industrial activities unless there are environmental reasons for encouraging a change of use.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- No comment.

### 6.2 Development Engineering Department

- See Schedule "A": City of Kelowna Memorandum dated March 8, 2016.

### 6.3 Fire Department

- No comment.

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.29.1 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.30.1 (Development Process Chapter).

6.4 FortisBC Electric

- There are primary distribution facilities along McCurdy Place. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.
- Otherwise, FortisBC Inc. (Electric) has no concerns with this circulation.

6.5 Ministry of Transportation

- Preliminary approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the Transportation Act.

6.6 Black Mountain Irrigation District

- No response.

7.0 **Application Chronology**

Date of Application Received: January 5, 2016  
Date Public Consultation Completed: February 2016

Report prepared by:

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Trisa Brandt, Planner I

Reviewed by: ☐ Terry Barton, Urban Planning Manager

Approved for Inclusion: ☐ Ryan Smith, Community Planning Department Manager

**Attachments**

Schedule "A": City of Kelowna Memorandum dated March 8, 2016

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**CITY OF KELOWNA**  
**MEMORANDUM**


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**Date:** March 8, 2016  
**File No.:** Z16-0003  
**To:** Urban Planning Management (TB)  
**From:** Development Engineering Manager (SM)  
**Subject:** 889 McCurdy Place Lot 23, Plan K3323

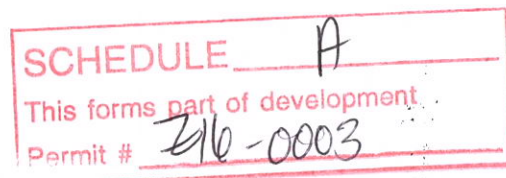
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The Developments Engineering comments and requirements regarding this application to rezone the subject property from I1 to I2 are as follows

1. General.
  - a) This development is within a strata industrial park. All Municipal services have been provided to the property line.
  - b) This application does not trigger any offsite upgrades.

  
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Steve Muenz, P. Eng.  
Development Engineering Manager

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# REPORT TO COUNCIL



**Date:** April 4, 2016

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (TB)

**Application:** Z15-0044 **Owner:** Kaskade Developments Group Inc  
(Inc. No. A0078591)

**Address:** 190 Homer Road **Applicant:** Kaskade Developments Group Inc

**Subject:** Rezoning Application

**Existing OCP Designation:** MRL - Multiple Unit Residential (Low Density)

**Existing Zone:** RU1 - Large Lot Housing

**Proposed Zone:** RU1c - Large Lot Housing with Carriage House

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## 1.0 Recommendation

THAT Rezoning Application No. Z15-0044 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 9, Section 27, Township 26, ODYD, Plan 14897 located at 190 Homer Rd, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated April 4, 2016;

## 2.0 Purpose

To rezone the subject property to facilitate the conversion of an accessory building into a carriage house.

## 3.0 Community Planning

Community Planning Staff supports the proposed rezoning application to allow the conversion of a workshop into a carriage house on the property. The proposed carriage house use is consistent with the Official Community Plan (OCP) urban infill policies for Compact Urban Form and Sensitive Infill. There are no variances required. Should Council approve the rezoning, staff will

continue to work with the applicant to issue a Direct Development Permit in accordance with the Intensive Residential - Carriage House/Two Dwelling Housing Guidelines.

Council Policy No. 367 with respect to public consultation was undertaken by the applicant. All adjacent neighbours within a 50m radius were provided with a circulation package in regards to the development on March 1, 2016. To date, staff has received 1 phone call of non-support from a neighbor in the multi-family complex to the west due to concerns over privacy. Should Council approve this proposal, staff can work with the applicant through the development permit to resolve any privacy concerns through screening or small alterations of the proposed plan.

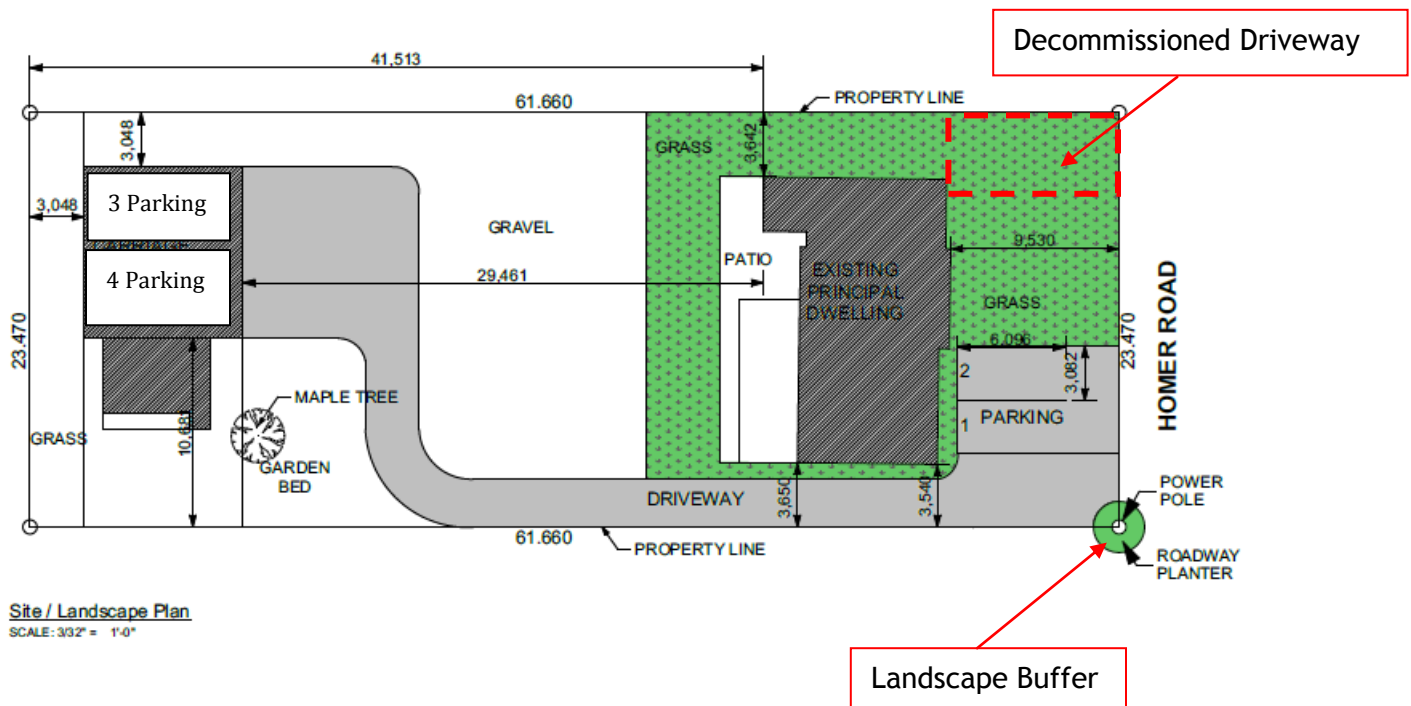
#### 4.0 Proposal

##### 4.1 Background

The original one-storey single family dwelling was constructed in the 1960's, and the accessory building (workshop and garage) was completed in 2010 with all required permits. The applicant and current owner purchased the property in 2013 and has worked with bylaws to decommission an illegal suite in the primary dwelling that was constructed by the previous owner. The accessory building has never had a suite constructed in it and has never had a bylaw infraction.

##### 4.2 Project Description

The subject property is located on the west side of Homer Road north of Highway 33 W. The proposed carriage house would involve converting the existing 1.5 storey accessory building into a dwelling. Two parking stalls for the main dwelling are provided in the front yard, and two additional parking stalls are provided in a garage on the main floor of the carriage house. The private space for the carriage house is achieved on an outdoor deck and the private space for the main dwelling is in the front and rear lawn. The proposed carriage house does not require any variances. As part of the process the applicant has decommissioned a second driveway on the north side of the property, and has agreed to provide a landscaping buffer around the hydro pole at the south driveway for safety.



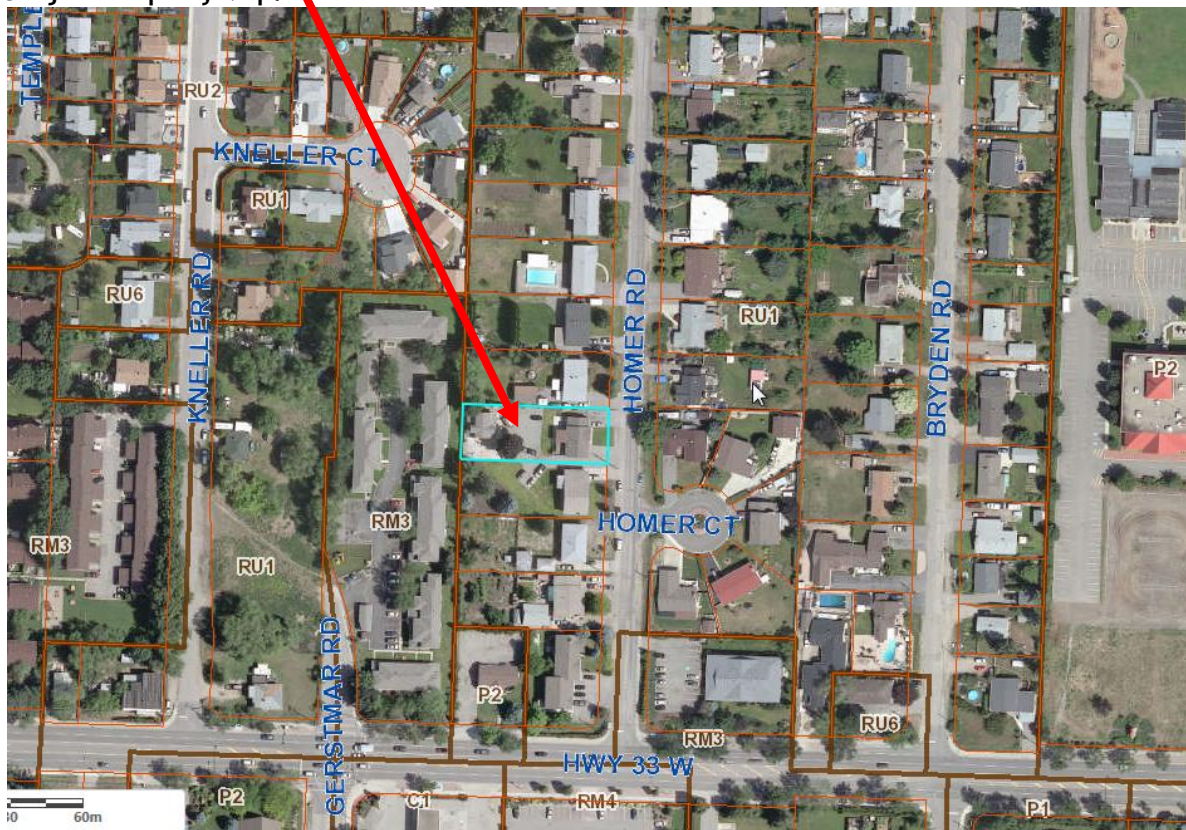
### 4.3 Site Context

The subject property is located in Rutland and is fully serviced with sewer and water. The surrounding neighborhood is predominantly single family dwellings with some low density multiple housing to the west and south. The property is within walking distance of the Rutland Town Centre, transit stops along Hwy 33, and Ben Lee Park on Houghton Road.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Residential
East	RU1 - Large Lot Housing	Residential
South	RU1 - Large Lot Housing	Residential
West	RM3 - Low Density Multiple Housing	Residential

Subject Property Map:



#### 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1c ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	550 m <sup>2</sup>	1447.2 m <sup>2</sup>
Lot Width	16.5 m	16.3 m
Lot Depth	30 m	40.4 m
Development Regulations		
Site Coverage (buildings)	40%	17.5%
Maximum Total Site Coverage (buildings, driveways, & parking)	50%	38.2%
Site Coverage: accessory buildings or structures and carriage house	14%	6.1%
Floor area of carriage house (footprint)	90 m <sup>2</sup>	87.7 m <sup>2</sup>
Max. area of carriage house (total habitable area)	90 m <sup>2</sup>	74.8 m <sup>2</sup>
Max. net floor area of carriage house to total net floor area of principal building	75%	53.9%
Setback from Principal Dwelling	3 m	8.1 m
Carriage House Regulations		
Max. Height	4.8 m	4.67 m
Min. Side Yard (north)	2.0 m	3.05 m
Min. Side Yard (south)	2.0 m	10.68 m
Min. Rear Yard (without a lane)	2.0 m	3.05 m
Height (carriage house shall not be higher than existing primary dwelling unit)	1 storey house	1 ½ story carriage house
Other Regulations		
Min. Parking Requirements	3 stalls	>3 stalls
Min. Private Open Space	30m <sup>2</sup>	>30m <sup>2</sup>

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Compact Urban Form.**<sup>1</sup> Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

**Sensitive Infill.**<sup>2</sup> Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

### 6.2 Development Engineering Department

- See Schedule "A": City of Kelowna Memorandum dated August 20, 2015

### 6.3 Fire Department

- No concern with zoning change
- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- All units shall have a posted address on Homer Rd. for emergency response
- Should a gate or fence be installed between main house and carriage house the gate is to open without special knowledge (locking device and have a clear width of 1100mm).

### 6.4 FortisBC Electric

- There are primary distribution facilities along Homer Rd. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.
- Otherwise, FortisBC Inc. (Electric) has no concerns with this circulation.
- In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). It should be noted that additional land rights issues may arise from the design process but can be dealt with at that time, prior to construction.

### 6.5 Irrigation District (BMID)

- No Comments

### 6.6 Ministry of Transportation and Infrastructure

- Preliminary Approval is granted for the rezoning for one year pursuant to Section 52(3)(a) of the Transportation Act.

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

## 7.0 Application Chronology

Date of Application Received: August 6, 2015  
Date Public Consultation Completed: March 1, 2016

Report prepared by:

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Trisa Brandt, Planner I

Reviewed by: ☐ Terry Barton, Urban Planning Manager

Approved for Inclusion: ☐ Ryan Smith, Community Planning Department Manager

### Attachments:

Site Plan/Landscape Plan

Conceptual Elevations

Floor Plan

Schedule "A": City of Kelowna Memorandum dated August 20, 2015

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## CITY OF KELOWNA

### MEMORANDUM

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**Date:** August 20, 2015  
**File No.:** Z15-0044  
**To:** Urban Planning (AC)  
**From:** Development Engineering Manager (SM)  
**Subject:** 190 Homer Road – Lot 9, Plan 14897, Sec. 27, Twp. 26, ODYD

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The Development Engineering comments and requirements regarding this application to rezone from RU-1 to RU-1c (carriage) are as follows:

1. General
  - a) Provide easements as required.
  - b) This application does not trigger any offsite upgrades.
2. Domestic water and fire protection.

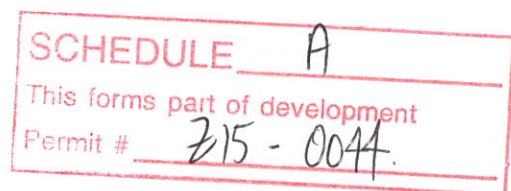
This development is within the service area of the Black Mountain Irrigation District (BMID). All the fees and charges are to be paid directly to BMID.
3. Sanitary Sewer.

The subject property is located within the Local Area Service (LAS) #1. This application does not trigger any Specified Area charges.

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Steve Muenz, P.Eng.  
Development Engineering Manager

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WESTERKAMP DESIGN INC.  
#201-660 WATER STREET  
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www.westerkampdesign.com

CONTRACTING:

CONSULTANTS:

190 HOMER ROAD  
KELOWNA, B.C.

LOT 10  
PLAN 14897

ISSUED FOR  
ZONING CHANGE

MARK	DATE	DESCRIPTION
1/1		

DATE: 2/19/2016  
MODEL FILE:  
DRAWN BY:  
CHECKED BY:  
COPYRIGHT:

SHEET TITLE  
Site / Landscape Plan

DP-001  
SHEET 11 OF 13

190 HOMER ROAD

ZONING: RUC - LARGE LOT HOUSING WITH CARRIAGE HOUSE

SITE DETAILS:

LOT AREA: 1447.16 m<sup>2</sup>  
LOT WIDTH: 23.47 m  
LOT DEPTH: 61.66 m

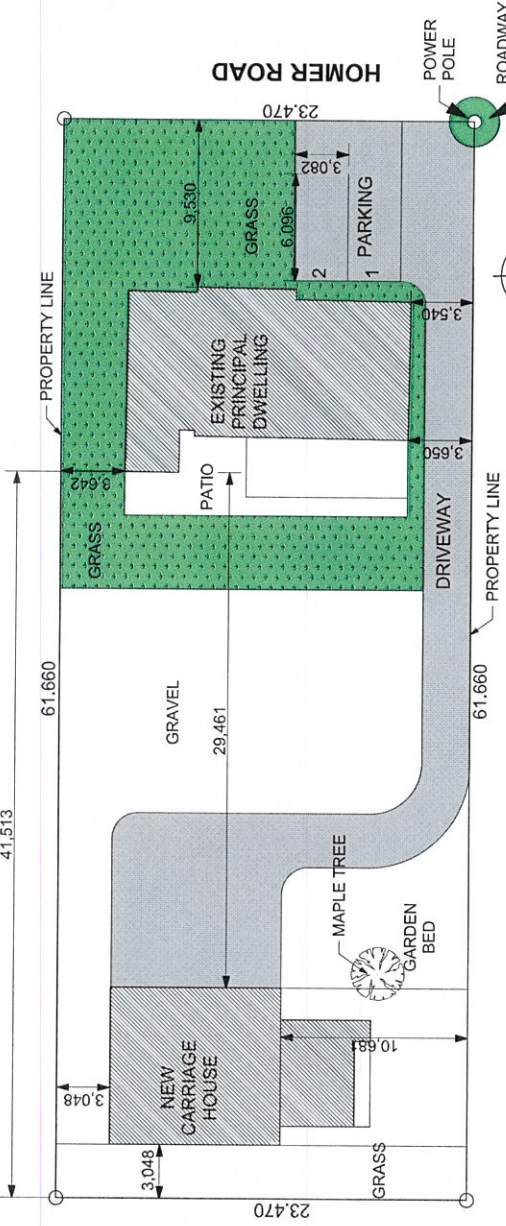
FOOTPRINT AREA OF PRINCIPAL DWELLING: 138.70 m<sup>2</sup>  
FOOTPRINT AREA OF CARRIAGE HOUSE: 87.70 m<sup>2</sup>  
AREA OF DECK: 26.85 m<sup>2</sup>  
AREA OF DRIVEWAYS & PARKING: 299.89 m<sup>2</sup>

SITE COVERAGE (%):  
CARRIAGE HOUSE ONLY: 6.06 %  
BUILDING + DECK: 17.50 %  
BUILDINGS, DECKS & DRIVEWAYS: 38.22 %

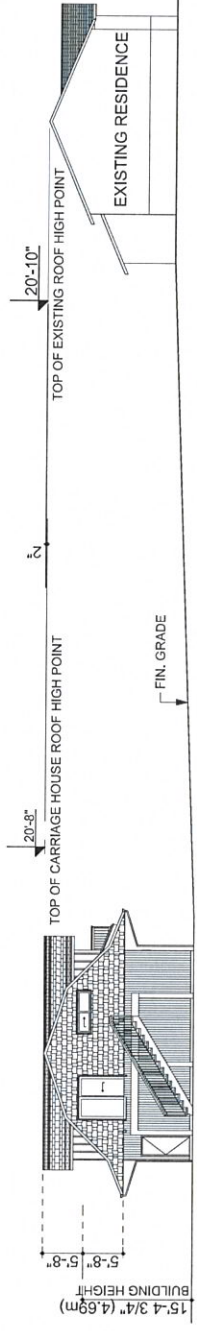
PRINCIPAL DWELLING DETAILS:  
TOTAL FLOOR AREA: 138.70 m<sup>2</sup>  
HEIGHT OF BUILDING: (1 STOREY)  
SETBACKS (IN METRES):  
FRONT: 9.530 m  
SIDE (WEST): 3.642 m  
SIDE (EAST): 3.540 m  
REAR: 41.513 m

CARRIAGE HOUSE DETAILS:  
TOTAL FLOOR AREA: 74.79 m<sup>2</sup>  
HEIGHT OF BUILDING (TO MIDPOINT OF ROOF): 4.67 m  
SETBACKS (IN METRES):  
FRONT: 41.590 m  
SIDE (WEST): 3.048 m  
SIDE (EAST): 10.681 m  
REAR: 3.048 m

LOT COVERAGE OF ALL ACCESSORY BUILDINGS (INCLUDING CARRIAGE HOUSE): 8.09 m<sup>2</sup>  
NUMBER OF PARKING STALLS: 2  
SIZE OF PARKING STALL: 3.048 x 6.096 m  
PRIVATE OPEN SPACE PER UNIT (m<sup>2</sup>): 87.71 m<sup>2</sup>



Site / Landscape Plan  
SCALE: 3/32" = 1'-0"



2 SITE SECTION  
SCALE: 1/8" = 1'-0"



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CONTRACTING:

CONSULTANTS:

190 HOMER ROAD  
KELOWNA, B.C.

LOT 10  
PLAN 14897

ISSUED FOR  
ZONING CHANGE

MARK DATE DESCRIPTION

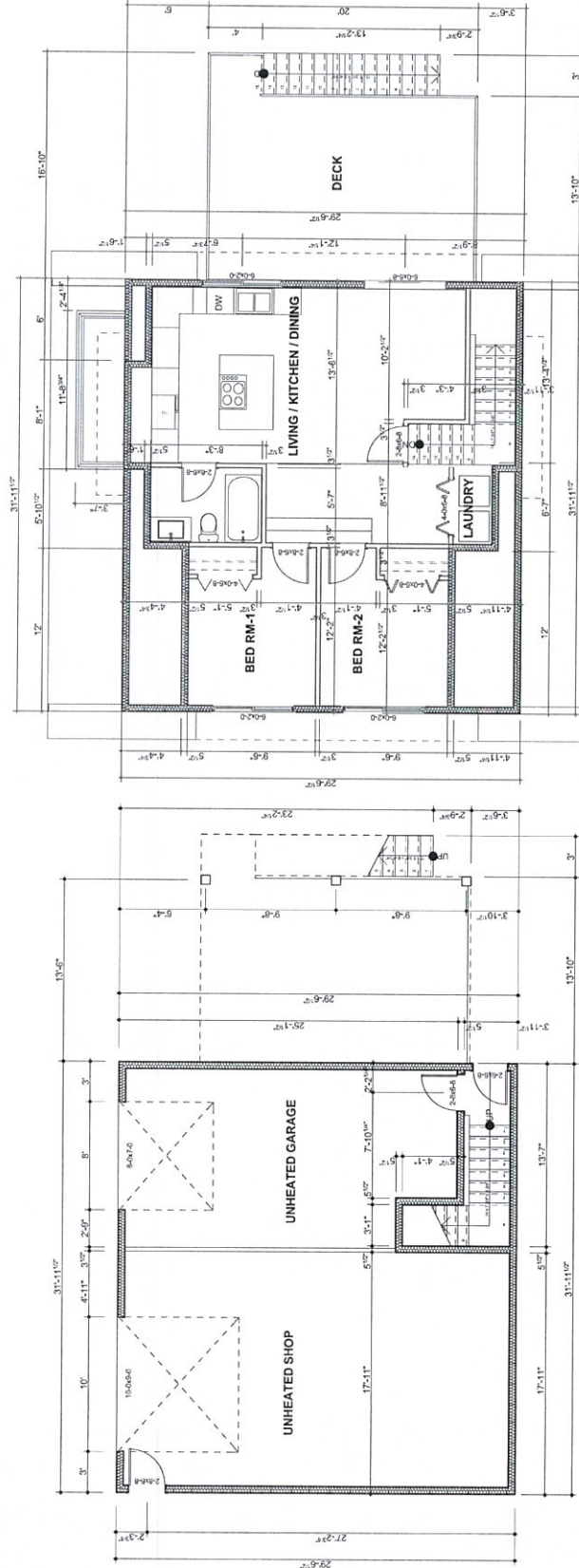
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SHEET TITLE

Floor Plans

DP-002

SHEET 12 OF 13



DP Lower (Garage) Floor Plan  
SCALE: 1/4" = 1'-0"

Upper (Main) Floor Plan  
SCALE: 1/4" = 1'-0"



CONSULTANTS

ISSUED FOR  
ZONING CHANGE

[illegible]

DP-003



ASPHALT ROOFING:  
VINYL SHAKE CLADDING:  
BOARD & BATTEN SIDING:  
GALVANIZED CORRUGATED  
METAL SIDING:  
DOORS, DOOR FRAMES  
& WINDOW FRAMES:  
FASCIAS & TRIM:

# REPORT TO COUNCIL



**Date:** March 21, 2016

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (TY)

**Application:** Z15-0056

**Owner:** Bruce & Helga Morris

**Address:** 2970 Shayler Court

**Applicant:** Bruce Morris

**Subject:** Rezoning Application

**Existing OCP Designation:** REP - Resource Protection Area

**Existing Zone:** A1 - Agriculture 1

**Proposed Zone:** A1c - Agriculture 1 with Carriage House

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## 1.0 Recommendation

THAT Rezoning Application No. Z15-0056 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 9 Section 29 Township 23 ODYD Plan KAP70569, located at 2970 Shayler Court, Kelowna, BC from the A1 - Agriculture 1 zone to the A1c - Agriculture 1 with Carriage House zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval by Glenmore-Ellison Improvement District as set out in Schedule "A" attached to the Report from Community Planning Department dated March 21, 2016.

## 2.0 Purpose

To rezone the subject property to facilitate a carriage house.

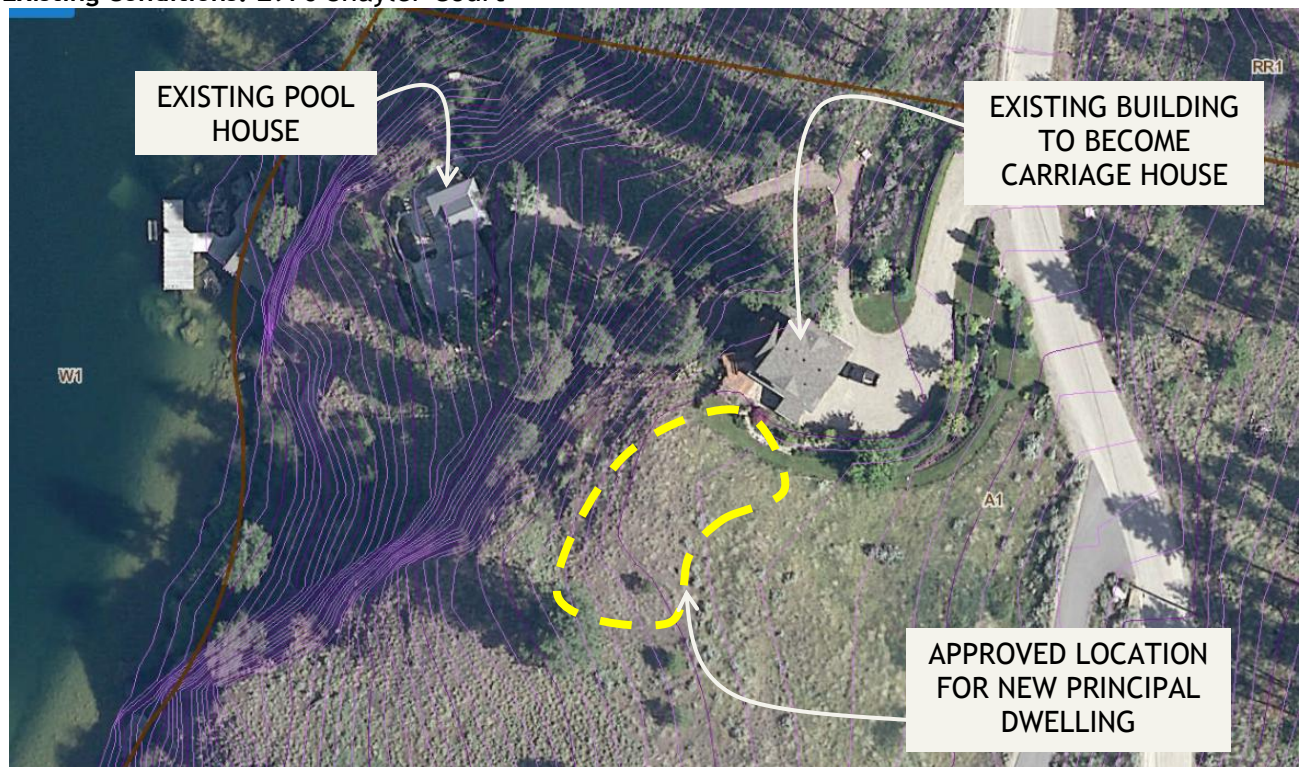
## 3.0 Community Planning

Community Planning supports the proposed rezoning to add the "c" designation in order to retain an existing suite in an accessory building on the subject property. Staff are in support of the proposed rezoning as the proposed development meets the A1c zone requirements, and Kelowna's Official Community Plan goals in foreshore areas. In 2002, a two storey accessory building was designed and constructed as living space for the owners until they constructed their principal dwelling. It was designed to meet Zoning Bylaw No. 8000 regulations regarding an accessory building of the day. Today, the owners are prepared to build the principal dwelling and would like to keep the secondary suite within the accessory building and legalize the building as a carriage house.

The parcel is outside of the Permanent Growth Boundary and not in the Agricultural Land Reserve. The existing building meets current zoning bylaw regulations for a carriage house in the A1c - Agriculture 1 with Carriage House zone.

Any development on the subject property, which is located on Okanagan Lake foreshore requires a Hazardous Condition and Environmental Development Permit to ensure that construction on the land is completed in a responsible and safe manner. The owners have received the appropriate permits for existing buildings and the proposed principal dwelling (DP15-0244). This means the proposed principal dwelling to be constructed meets City of Kelowna goals and regulations with regards to steep slopes, environmental, and natural habitat concerns. The permit has been issued showing the existing building (potential carriage house) being retained. The building may remain in place, however this rezoning application will legalize the dwelling unit to remain on the top floor of the existing building after the principal dwelling is constructed. A Qualified Environmental Professional is required to monitor all works relating to the new principal dwelling construction, no-disturb areas have been established and erosion and sediment controls are also required.

#### Existing Conditions: 2970 Shayler Court



Although the subject property is outside of the Permanent Growth Boundary, the location of the potential carriage house on the parcel is very close to the proposed principal dwelling (4.0 m), which does not create speculation for subdivision. The size of the living space of the carriage house is also very small in relation to a typical secondary suite that is permitted. The zone permits a 90 m<sup>2</sup> area, the existing living space within the carriage house is 50 m<sup>2</sup>.

## 4.0 Proposal

### 4.1 Project Description

Two buildings exist on the subject property. One is a pool house on the west portion of the property near Okanagan Lake. The second is the building located near the centre of the property

which is the building the owners wish to legalize as a carriage house. The existing building contains parking for two vehicles on the main floor, with living space on the second floor. The building is 6.0 m in height, designed with gables and dormers and has a total footprint of 65 m<sup>2</sup>, the total living space is 50 m<sup>2</sup>.

**Existing Dwelling (proposed carriage house): 2970 Shayler Court**



#### 4.2 Site Context

The subject property is located at the end of Shayler Court, in the McKinley sector of Kelowna. The property is adjacent to Okanagan Lake and within the Natural Environment, Wildland Fire Hazard and Comprehensive Development Permit Areas. Current zoning is the A1 - Agriculture 1 zone and is not within in the ALR. The property has a Future Land Use of REP - Resource Protection Area and is outside of the Permanent Growth Boundary.

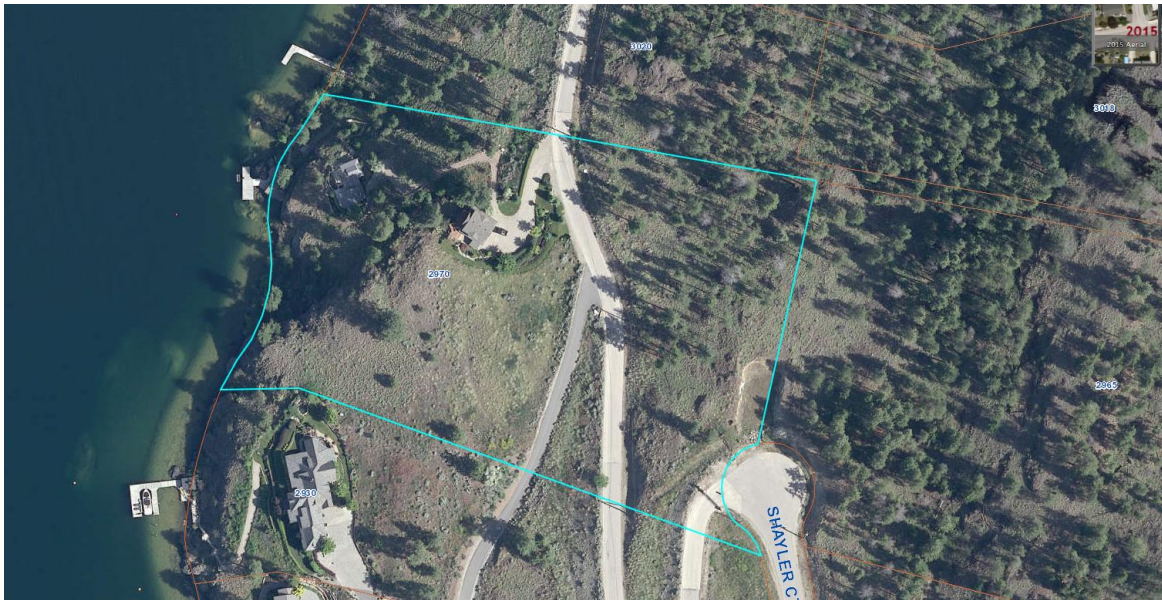
Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR1	Vacant Lot
East	A1	Vacant Lot
South	RR1	Single Family Residential
West	W1	Okanagan Lake

**Neighbourhood Context Map: 2970 Shayler Court**



## Subject Property Map: 2970 Shayler Court



## 4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	A1c ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	4.0 ha / 9.9 ac	4.96 ac / 20,072 m <sup>2</sup>
Minimum Lot Width	40.0 m	112.0 m
Development Regulations - Carriage House		
Maximum Site Coverage Accessory buildings & carriage house	14 %	4 %
Maximum area of Carriage House Living Space	90 m <sup>2</sup>	50 m <sup>2</sup>
Maximum Height	6.0 m	6.0 m
Minimum Front Yard	6.0 m	+ 100 m
Minimum Side Yard (south)	3.0 m	+ 25 m
Minimum Side Yard (north)	3.0 m	+ 60 m
Minimum Rear Yard	3.0 m	+ 60 m
Minimum Distance from principal building	min 3.0 m max 10.0 m	4.0 m
Other Regulations		
Minimum Parking Requirements	2 principal & 1 carriage	+ 2 principal & 2 carriage
Minimum Okanagan Lake Sightlines	120°	+ 120°

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Land Use Designation Definitions

**Resource Protection Area (REP).**<sup>1</sup> Rural land preserved for agricultural, environmental and recreational purposes, including the ALR, other resource lands with environmental value and protected natural open spaces, including private open space, steeply sloped lands, Natural Environment/Hazardous Condition DP Areas, and other natural features such as watercourses, water bodies, wetlands, plant and wildlife habitat, and significant aesthetic value. Allowable uses would be agriculture / resource use including farming, forestry, wood lots and silviculture as well as public or private open space on lands considered environmentally sensitive or hazardous (steep slopes). Generally land areas within this designation (whether they are within the permanent growth boundary or not) will not be supported for exclusion from the ALR or for more intensive development than that allowed under current zoning regulations, except in specific circumstances where the City of Kelowna will allow exceptions to satisfy civic objectives for the provision of park/recreation uses. Non-ALR land outside the Permanent Growth Boundary will not be supported for any further parcelization.

*In the A1 zone, secondary suites are permitted, the proposed carriage house is not located in an area that would allow for future speculation of subdivision. The size of the living space within the carriage house is also very minimal.*

*The existing accessory building (proposed carriage house) and proposed principal dwelling are designed in areas on the property where slopes are minimum and well under the 30% maximum.*

*The proposed carriage house also meets all requirements for the A1c zone, not requiring any variances. Development on the subject property has been carried out in an appropriate manner with regards to the sensitive topography and natural ecosystems.*

#### Development Process

**Homeplating.**<sup>2</sup> Locate buildings and structures, including farm help housing and farm retail sales area and structures, on agricultural parcels in close proximity to one another and where appropriate, near the existing road frontage. The goal should be to maximize use of existing infrastructure and reduce impacts on productive agricultural lands.

*The homeplating principals are being considered to as the proposed principal dwelling is located in close proximity to the existing accessory dwelling. Using the same driveway, not disturbing additional steep slope areas.*

#### Foreshore: Natural Environment DP Guidelines<sup>3</sup> Hazardous Condition DP Guidelines<sup>4</sup>

*The above noted Development Permits have been issued for the construction of the proposed principal single family dwelling while retaining the existing accessory building.*

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.

<sup>1</sup> City of Kelowna Official Community Plan, (Future Land Use Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.34.3 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, (Natural Environment DP Guidelines Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, (Hazardous Condition DP Guidelines Chapter).

Full Plan check for Building Code related issues will be completed at time of Building Permit applications.

#### 6.2 Development Engineering Department

The applicant must satisfy Glenmore-Ellison Improvement District requirements prior to final rezoning.

Approval from Interior Health Authority or Wastewater Technician for on-site sewage disposal system must be obtained prior to issuance of Building Permit for new dwelling.

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades at the applicant's cost.

#### 6.3 FortisBC Inc - Electric

There are primary distribution facilities along Shayler Court. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

### 7.0 Application Chronology

Application Received:	October 15, 2015
Public Consultation Completed:	November 20, 2015
Application Placed On Hold by Applicant:	November 23, 2015
Notice to Proceed with Application from the Applicant:	January 21, 2016

**Report prepared by:**

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Tracey Yuzik, Planner

**Approved for Inclusion:** ☐ Todd Cashin, Suburban and Rural Planning Manager

#### **Attachments:**

Schedule "A": GEID Conditions of Service  
Context/Site Photos  
Existing Building Floor Plans



## Glenmore-Ellison Improvement District

445 Glenmore Road  
Kelowna, BC V1V 1Z6

Email: [glenmore.ellison@shaw.ca](mailto:glenmore.ellison@shaw.ca)

Website: [www.glenmoreellison.com](http://www.glenmoreellison.com)

Page 1 of 2

Phone: 250-763-6506

Fax: 250-763-5688

OUR FILE No.: 0137  
CITY OF KELOWNA FILE No.: Z15-0056, DP15-0254, DVP15-0255  
P.I.D.: 025-250-922

March 7, 2016

Mr. Bruce Morris (via email: [morriskelowna@hotmail.com](mailto:morriskelowna@hotmail.com))  
23500 – 64<sup>th</sup> Avenue  
Langley, BC  
V2Y 2G7

Dear Sir:

**SCHEDULE A**  
This forms part of development  
Permit # Z15-0056

**Re: Conditions of water service – convert detached existing garage to carriage house designation and new home to be built on property (2016) at 2970 Shayler Ct. (Lot 9, Plan 70569), City of Kelowna.**

In response to the above referenced application, the following fees and conditions are required to be fulfilled prior to issuance of a GEID Water Service Certificate.

1. All water supplies are subject to Glenmore-Ellison Improvement District (GEID) Water bylaws, rules and regulations, and the City of Kelowna Bylaw #7900. Copies of all GEID bylaws are available at the GEID office and on the GEID website at [www.glenmoreellison.com](http://www.glenmoreellison.com).
2. As part of the water service application requirements, GEID may require the applicant to provide a detailed engineering study, including any fire flow modeling, to determine the infrastructure requirements for the proposed works. The study must be prepared by the District's Consulting Engineer with all associated costs to be borne by the applicant.
3. GEID Records indicate that the property is currently serviced with a 25mm water service connection. The applicant is required to connect to this service on private property.
4. The applicant will be required to submit a site plan showing the location of all existing and proposed structures, natural features, utilities, services, roads and driveways, etc., on and adjacent to the properties in question. All servicing must be located, verified in the field and shown on the submitted plan.
5. Installation and maintenance of piping from the service connection to locations within the property are the property owner's responsibility.
6. As provided in Water Regulation Bylaw #147, no water may be used on any property other than that property for which tolls and taxes have been paid. Therefore, no water from one property may flow onto the adjoining property. All watering, including any outside irrigation, must be kept separate.
7. All water supplied by GEID must be metered. Water Meters (5/8" x 3/4") and remote reader (MXU) are required to be purchased from GEID and installed by Corix. Following payment of the applicable metering fees, the applicant will be required to coordinate the installation of a water meter, complete with remote reader, in accordance with the GEID Metering Bylaw No. 148. This may be completed

by contacting Corix Utility Services in Kelowna. Corix will provide a specification for the lay-length of the water meter as needed to prepare for installation and inspection by Corix.

### **Project Fees**

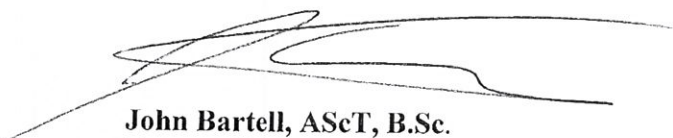
The following fees are required prior to development approval. Fees are payable at the GEID office.

Fee Description	Rate	Payable Prior to...	Total
Document Administration fee	\$150.00 per staff review for each application for water service	Application Review	<b>\$150.00 (Paid)</b>
Capital Expenditure Charge	Single Family Residence CEC rate, \$5,300; Carriage Home CEC rate, \$4,240.00. Property allocated one Single Family Residential unit (\$5,300.00 Credit). (\$5,300.00 + \$4,240.00 - \$5,300.00 = \$4,240.00)	Installation or Activation of Water Service (if applicable) or issuance of GEID Water Service Certificate	<b>\$4,240.00</b>
Residential Meter & MXU	5/8" x 3 / 4"	Issuance of GEID Water Service Certificate	<b>\$450.00</b>
Water service Inspection	\$100.00 for water service connection inspection	Installation or Activation of Water Service or issuance of GEID Water Service Certificate	<b>(if applicable)</b>

This review is valid for **ONE (1) YEAR** from the date of this letter provided that there are no changes in legislation, regulations, or bylaws in which case alterations to this review may be required to comply with the new legislation, regulations, or bylaws. It is now the applicant's responsibility to fulfill the conditions of this review.

If you have any questions regarding the above fees and conditions, please feel free to contact our office at 250-763-6506. Please reference our file number on all correspondence.

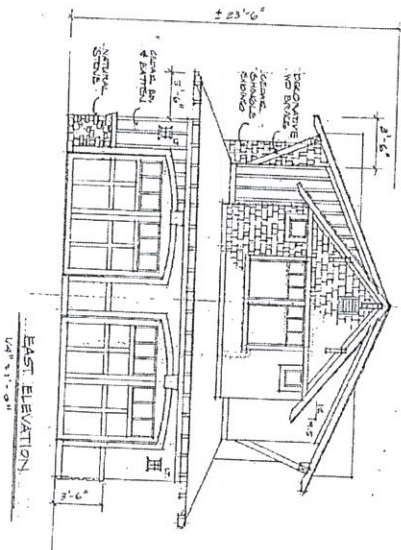
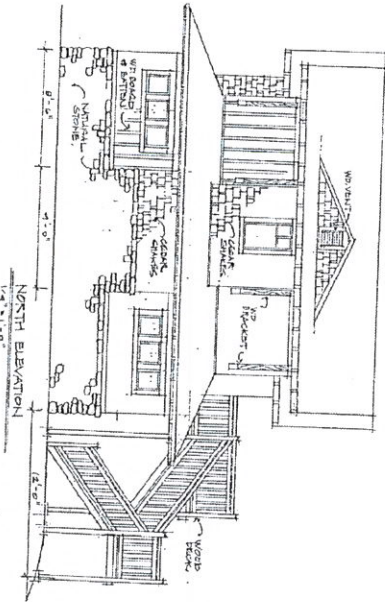
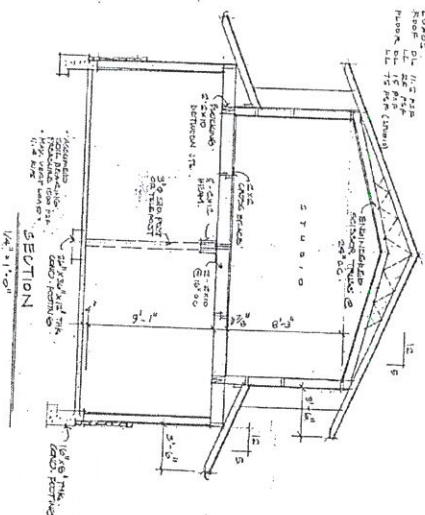
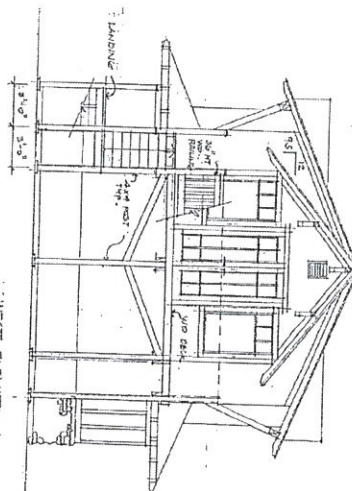
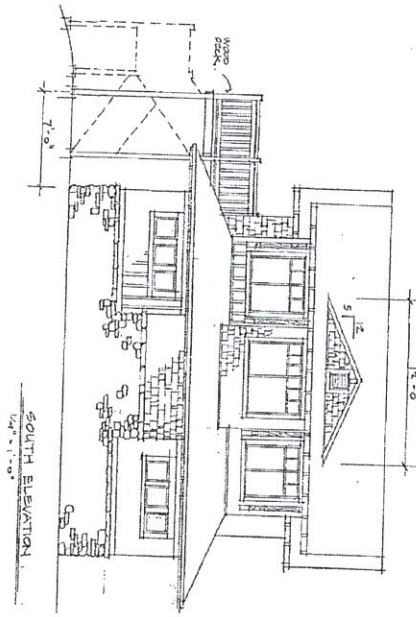
Sincerely,



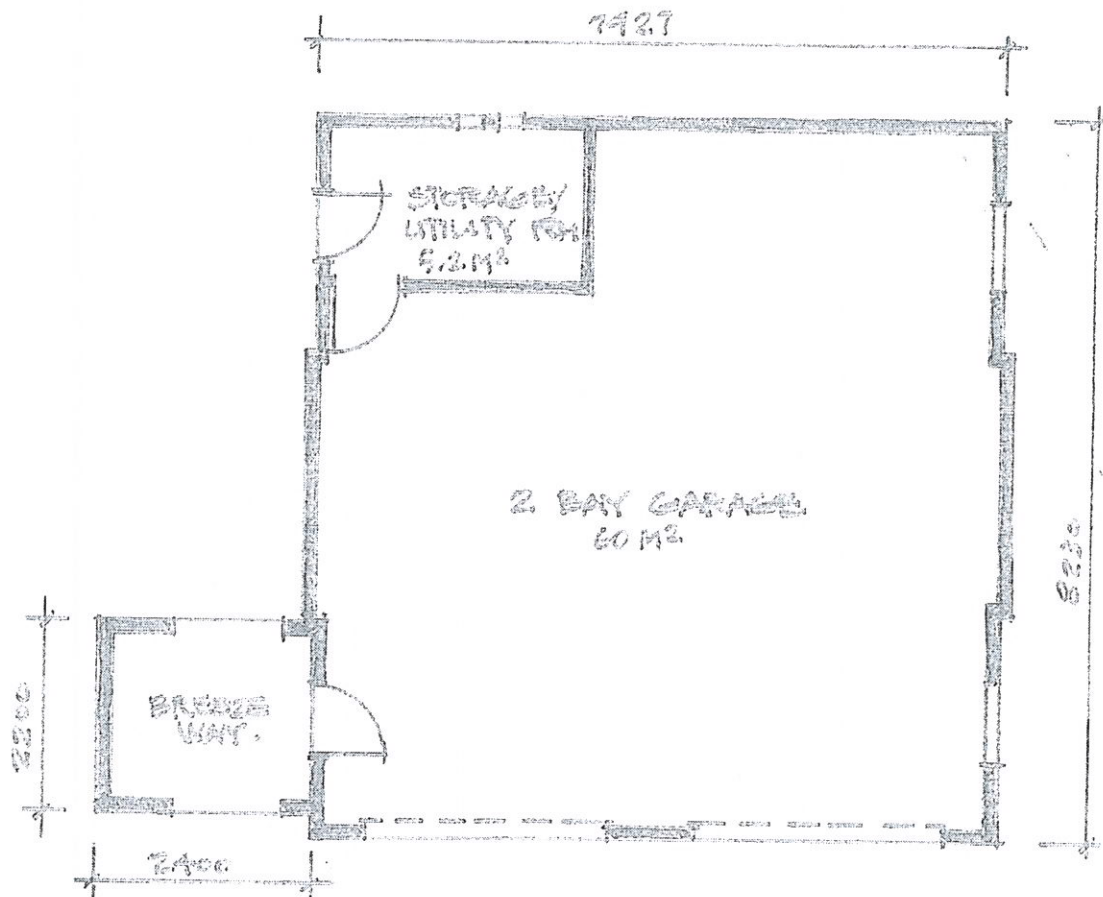
**John Bartell, ASCT, B.Sc.**  
Manager of Engineering and Operations

sv/jb

cc: City of Kelowna (via email: [TYuzik@kelowna.ca](mailto:TYuzik@kelowna.ca), [planninginfo@kelowna.ca](mailto:planninginfo@kelowna.ca))

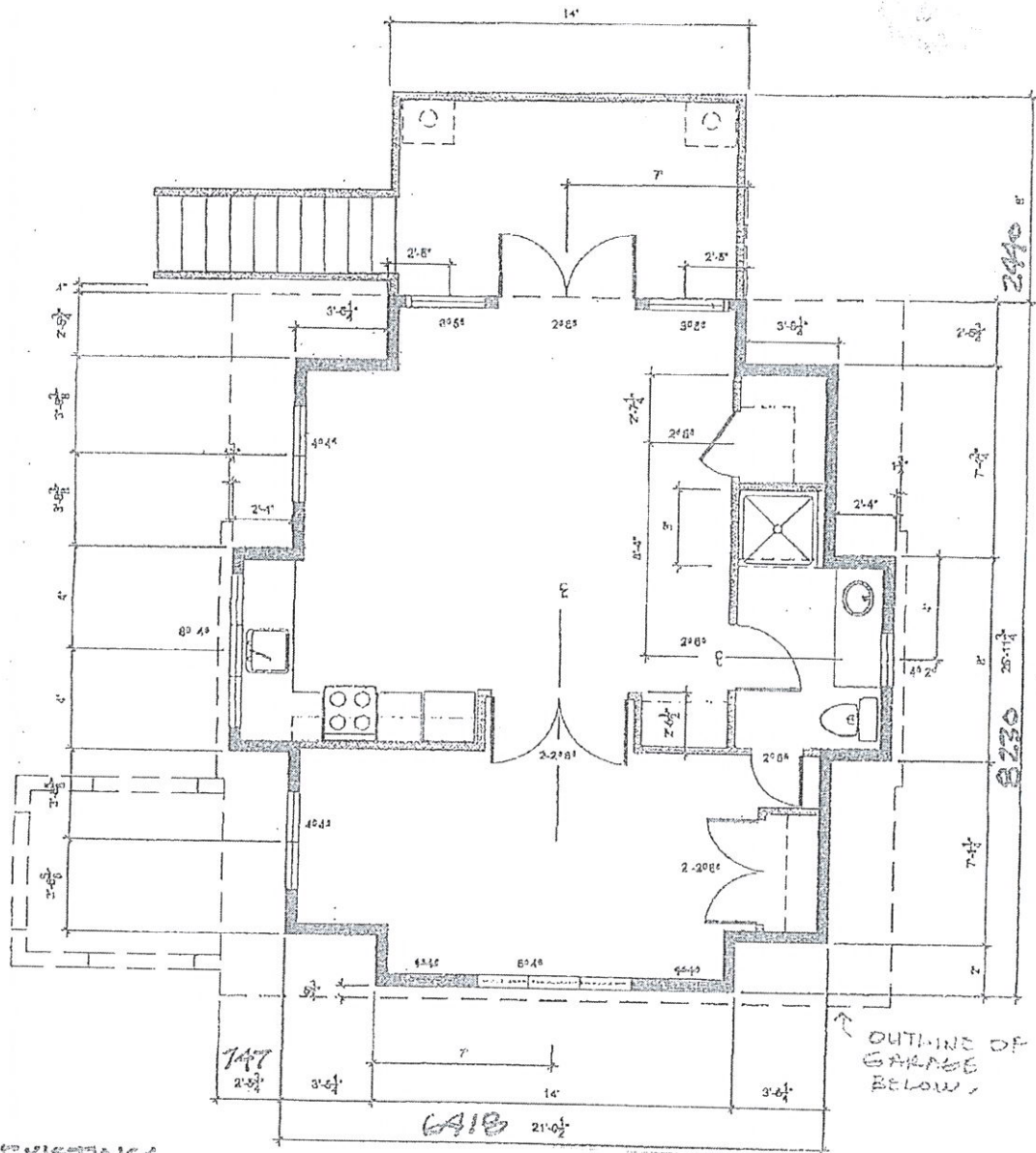


MORRIS GARAGE  
LOT 9, SHAWNEE CRT.  
KELLSVILLE, D.C.  
DWG. BY: B. MORRIS  
JULY 27, 1902

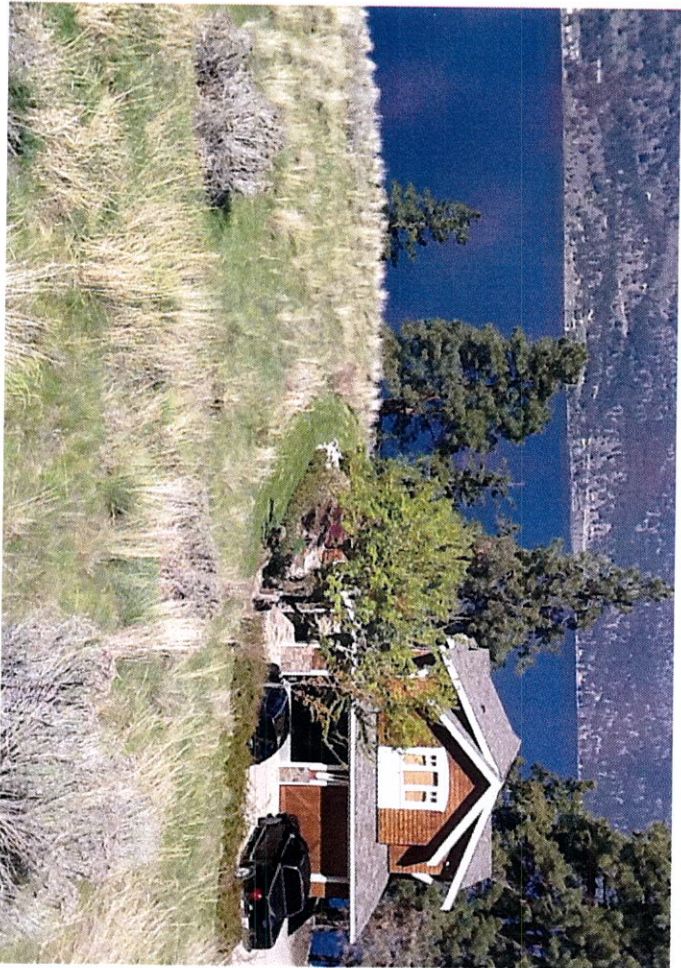


EXISTING  
 MORRIS GARAGE / STUDIO  
 GROUND LEVEL  
 LOT 9, SHAYLER COURT (2970).  
 SEPT 30/15





EXISTING  
MORRIS GARAGE/STUDIO  
UPPER LEVEL  
LOT 9, SHAYLER COURT (2970),  
NOV. 14, 02  
SEPT 20/15



# REPORT TO COUNCIL



**Date:** April 4, 2016

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (TY)

**Application:** OCP15-0019 Z15-0065      **Owner:** Strandhaus Developments Inc., Inc.No. BC1005533

**Address:** 990 Guisachan Road      **Applicant:** Strandhaus Developments Inc.

**Subject:** Official Community Plan Amendment & Rezoning Application

**Existing OCP Designation:** EDINST - Educational/Major Institutional

**Proposed OCP Designation:** MRL - Multiple Unit Residential (Low Density)

**Existing Zone:** RU1 - Large Lot Housing

**Proposed Zone:** RM3 - Low Density Multiple Housing

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## 1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP15-0019 to amend Map 4.1 in the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 1 District Lot 136 ODYD Plan 1470 AND Lot 2 District Lot 136 ODYD Plan 1470, located at 990 Guisachan Road, Kelowna, BC from the EDINST - Educational/Major Institutional designation to the MRL - Multiple Unit Residential (Low Density) designation, be considered by Council;

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the *Purpose* of Section 879 of the *Local Government Act*, as outlined in the Report from the Community Planning Department dated April 4, 2016;

AND THAT Rezoning Application No. Z15-0065 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 District Lot 136 ODYD Plan 1470 AND Lot 2 District Lot 136 ODYD Plan 1470, located at 990 Guisachan Road, Kelowna, BC from the RU1 - Large Lot Housing Zone to the RM3 - Low Density Multiple Housing zone, be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated April 4, 2016;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the lot consolidation of the subject properties;

## 2.0 Purpose

To amend the Official Community Plan to change the OCP Future Land Use designation to MRL and to rezone the subject property to the RM3 zone to facilitate a five unit multi family dwelling on the subject properties.

## 3.0 Community Planning

Community Planning supports the OCP Amendment and Rezoning Application as the proposed development will see the addition of five multiple family dwelling units to a neighbourhood that is centrally located between three Urban Centres and in close proximity to Guisachan Village Centre.

Subject Property Map: 990 Guisachan Road



### 3.1 Official Community Plan

The unique location of the subject properties includes a north and west property line that is shared with Interior Health's Cottonwoods Care Facility, the east property line runs along a City of Kelowna owned lane and the south of the property fronts Guisachan Road.

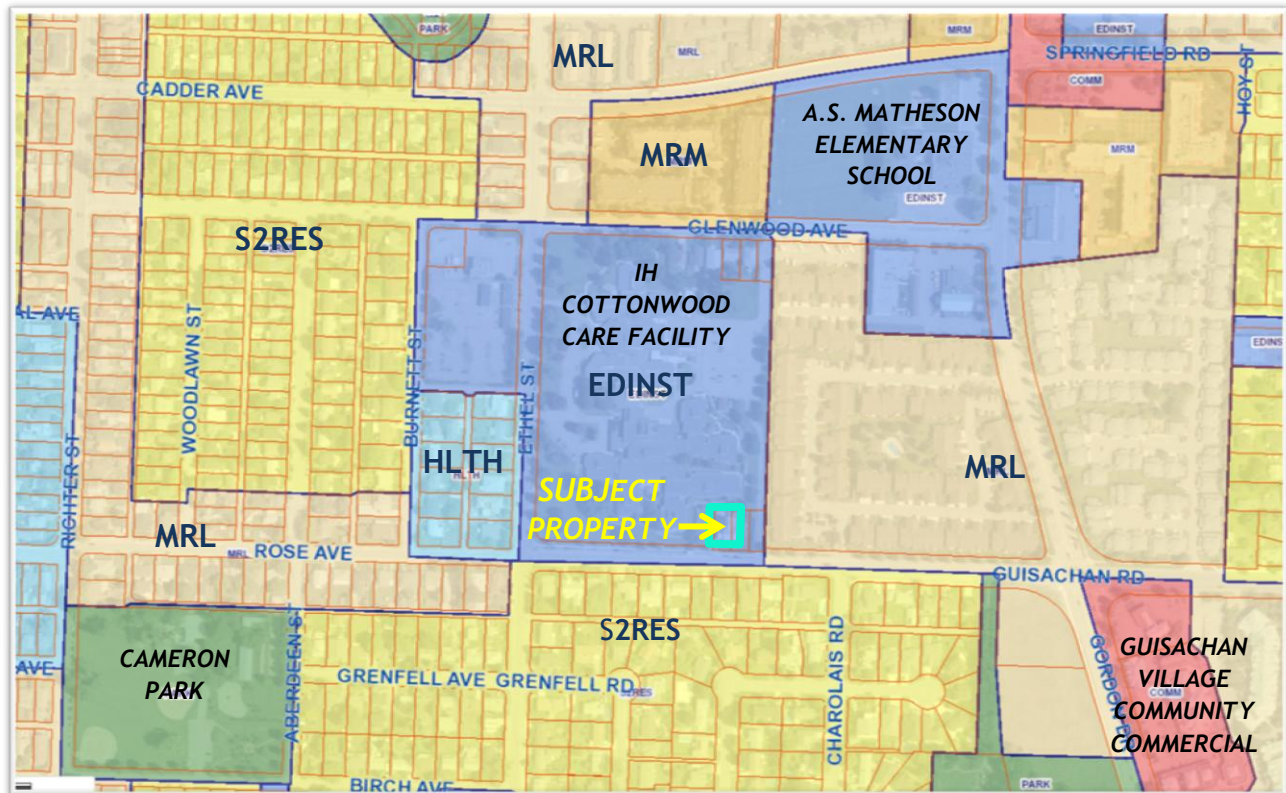
The existing Future Land Use of EDINST Educational/Major Institutional seeks to provide public services to Kelowna such as schools, university, colleges, correctional facilities hospitals, etc. The intent of the institutional land use designation was to provide a future opportunity to Interior Health for the comprehensive expansion and possibly consolidation of their facility (a P2 Zone property).

The previous land owners indicated that they were in contact with Interior Health Authority (IHA), and that IHA was not interested in purchasing the subject parcels.

As the original plan to consolidate the lots with the Interior Health property is reportedly no longer an option being considered by IH; The two subject parcels on their own do not lend themselves well to a stand alone Institutional development due to the total area available for development (appx 998 m<sup>2</sup> after road dedication). A development fitting the P2 zone of the public or institutional nature would require substantial height and parking variances to fulfil a role in a true educational or major institutional development.

When considering appropriate use of unique parcels such as these, Staff consider the surrounding Future Land Use and regional context. The surrounding neighbourhood represents a number of Future Land Use designations. Residential exists in the form of single/two unit dwellings to the south, and low density multiple family dwellings to the east. Taking the surrounding residential uses and the lot size into consideration, Staff are recommending to Council an OCP amendment to residential, the same designation that exists to the east. The applicant is proposing five townhome dwellings in a manner that meets Kelowna's OCP goals for achieving density in a sustainable manner.

Figure 1: Future Land Use Map 990 Guisachan



The proposed development would help achieve Kelowna's Official Community Plan goals of:

- **Growth Projections:**<sup>1</sup> Kelowna's OCP New Housing Distribution seeks to see 1,150 Multiple Unit homes in the South Pandosy Area by 2030.
  - As of December 2015 City has issued only 180 permits for Multiple Family Dwelling Units in the South Pandosy Area.

<sup>1</sup> City of Kelowna Official Community Plan, Table 3.5 (Growth Projections Chapter).

- **Focusing development to designated growth areas:**<sup>2</sup> Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns.
  - This property is fully serviced with water, sewer, waste management, snow removal, and adjacent pedestrian boulevards.
  - This will be done by increasing densities within a 400 metre walking distance of transit stops is required to support the level of transit service.<sup>3</sup>
    - BC Transit - Gordon Dr bus route which runs every 15 minutes during peak times of the day.

The trend of reducing house sizes is one that Staff supports in the City Core. This development allows for 172 m<sup>2</sup> living space with 35 m<sup>2</sup> of private open space on only 189 m<sup>2</sup> of land.

### 3.2 Rezoning

The applicant is proposing a development that would create a five unit, three storey multiple unit building. The proposed design is shown in the attached conceptual architectural plans. Achieving 5 units on the two subject properties currently zoned RU1- Large Lot Housing fulfills several City policy objectives. The subject properties are located within 400 m of a village centre (Guisachan) which has a wide range of C3 - Community Commercial amenity opportunities.

There is potential for a live/work/play opportunity on the subject property as the property is situated central (appx 900 m) to City Centre, Capri Landmark and South Pandosy Urban Centres as well as Kelowna General Hospital.

Figure 2: Proximity to Services 990 Guisachan



<sup>2</sup> City of Kelowna Official Community Plan, Objective 5.3.1 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Objective 5.3.2 (Development Process Chapter).



### 3.3 Public Notification

As per Council Policy 367, the applicant completed Public Notification & Consultation in the form of neighbourhood circulation within 50 m of the subject properties and a Public Information Session.

- Circulated information to neighbours January 20, 2016.
  - No written correspondence was submitted to the City of Kelowna
- Held Public Information Session February 26, 2016 at 2250 Abbott Street. Approximately 7 people attended, 4 of whom lived in the neighbourhood.

Comments included:

- (2) Interest in buildings up to 10 m in height
- Interest in buildings up to 16.5 m in height
- (2) Interested in buildings up to 22 m in height
- (5) Agreement that the RM3 zone is an appropriate transition on this unique site
- (5) A 3 Bedroom residential unit is needed in the area

## 4.0 **Proposal**

### 4.1 Background

The two subject properties share the same address and currently have one 1960s single family dwelling constructed across the two lots. The property is surrounded on the north and west sides by Interior Health Authority Cottonwoods Care Centre, a lane to the care centre exists to the east. The previous owner made efforts to contact Interior Health to inquire about possible interest from IH to purchase the property for IH future development, as the consolidation with the existing cottonwoods facility would best align with the FLU EDNST. This was unsuccessful and the property was put up for sale. The current owner wishes to remove the existing dwelling, consolidate the lots and construct a five dwelling, three storey building. The applicant wishes to complete a Party Wall agreement subdivision after construction, creating five RM3 freehold lots.

### 4.2 Project Description

The building will consist of two storeys of living space, the third storey portion of the building is five individual stairwells that access five individual rooftop patios. The third storey rooftop patio access (stairwell) is set back 8.5 m from the front of the building. On each side of the building the third storey portion of the rooftop access is set back 4.0 m. After construction, the applicant is proposing to subdivide each dwelling parcel under the RM3 Zone requirements.

#### 4.3 Bonus Options in the RM3 Zone

Zoning Bylaw No. 8000 as directed in Kelowna's OCP incorporates incentives in the form of increase in site coverage or FAR for innovative use of amenity areas and permeable paving. This development application utilizes a number of the bonus options in the RM3 zone.

- FAR maximum is 0.75
  - If a development has at least 75% of on-site parking under habitable area, FAR increases by 0.05.
    - ✓ All parking is provided in attached garages, this development FAR is 0.80 maximum.
- Site coverage maximum for all buildings is 40%
  - If a development has private open space provided in the form of a deck, patio, balcony or rooftop patio which exceeds the bylaw requirement by 10%, the site coverage may increase to 50%
  - The minimum private open space for this development is 25 m<sup>2</sup>. A 10% = 27.5 m<sup>2</sup>.
    - ✓ Each dwelling unit is provided a total of 35 m<sup>2</sup> of private open space, this development may utilize a maximum of 50% of the site for buildings.
- site coverage maximum for all buildings, driveways & parking areas is 60%
  - If drive surfaces and parking are in the form of permeable surfaces, site coverage may be increased to 65%
    - ✓ All driveway area on the development is an engineered permeable paving system, this development may utilize 65% of the site for buildings and driveways.

#### 4.4 Variance

The proposed application triggers three variances as identified in the Zoning Analysis Table in this report. The RM3 zone allows for a maximum site coverage of 50% for buildings, the proposed building covers 52% of the site. The second and third variance requests are due to the building extending into the required side yard setbacks. The building is oriented with a large front yard setback however the applicant is seeking a variance to the minimum setback for both the west and east side yards. The minimum distance on the west side of the property is 4.0 m, the building is proposed at a 0.75 m setback. The minimum distance on the east side of the property is 1.2 m, the building is proposed at a 0.9 m setback. Should Council support the OCP and Rezoning application, a Development Permit and Development Variance Permit application will come before Council for consideration.

#### 4.5 Site Context

The subject properties are located on the north side of Guisachan Road, between Ethel Street and Gordon Drive. The properties have adjacent future land uses of MRL, EDINST on adjacent property lines and S2RES across Guisachan Road. The current Future Land Use of the properties is EDINST, and the current zone is RU1 - Large Lot Housing zone. The parcels are within the Permanent Growth Boundary.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P2	Cottonwoods Care Facility
East	RM2	Gated Community
South	RU1	Single Family Dwelling
West	P2	Cottonwoods Care Facility

#### 4.6 Zoning Analysis Table 990 Guisachan Rd Represented as One Consolidated Lot

Zoning Analysis Table as per Zoning Bylaw No. 8000 All Calculations are based on Site Area Prior to Road Dedication		
CRITERIA	RM3 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	900 m <sup>2</sup>	1,077.7 m <sup>2</sup> before dedication 983.2 m <sup>2</sup> after dedication
Lot Width	30.0 m	30.4 m
Lot Depth	30.0 m	35.3 m before dedication 32.3 m after dedication
Development Regulations		
Floor Area Ratio (FAR)	0.75	Shown Below
<i>Bonus - min 75% of parking in garage, may increase + 0.05</i>	0.80	861 m <sup>2</sup> 0.80
Site Coverage of Buildings	40%	Shown below
<i>Bonus - If private open space exceeds bylaw by 10% may increase by 10%</i>	50%	52 % ❶
Site Coverage of buildings, driveways and parking	60%	Shown Below
<i>Bonus -permeable drive surfaces and parking, may increase + 5%</i>	65%	65 %
Height	10.0 m or 3 storeys	8.7 m / 3 storeys
Front Yard	1.5 m (front door facing the street)	6.4 m before dedication 3.4 m after dedication
Side Yard (west)	4.0 m	0.75 m ❷
Side Yard (east)	1.2 m	0.9 m ❸
Rear Yard	7.5 m	8.0 m
Other Regulations		
Minimum Parking Requirements	2 spaces per dwelling unit	2 spaces per dwelling unit
Bicycle Parking	n/a	n/a
Private Open Space	25 m <sup>2</sup> / unit 28 m <sup>2</sup> / unit to qualify for 50% site coverage	19.5 m <sup>2</sup> at grade 15.5 m <sup>2</sup> on rooftop patio 35 m <sup>2</sup> Total / unit
❶ Indicates a requested variance to maximum allowable site coverage of buildings		
❷ & ❸ Indicates a requested variance to the minimum setback of a building from a side property line		

### 5.0 Current Development Policies

#### 5.1 Kelowna Official Community Plan (OCP)

##### Development Process

**Compact Urban Form.**<sup>4</sup> Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map

<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

**Housing Mix.**<sup>5</sup> Deliver services and infrastructure and create financial structures that will support the aim of having 57% of new housing units in the form of townhouses and apartments.

**Ease of Movement.**<sup>6</sup> Ensure that pedestrians, bicyclists and transit users can move about pleasantly and conveniently and that they are not unduly impeded in their movements by provisions for enhanced automobile mobility.

**Ground-Oriented Housing.**<sup>7</sup> Encourage all multiple-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms so as to provide a family housing choice within the multi-unit rental or ownership markets. High density residential projects in the Downtown area are encouraged to include a ground-oriented housing component, especially where such can be provided on non-arterial and non-collector streets.

**Building Height.**<sup>8</sup> In determining appropriate building height, the City will take into account such factors as: Contextual fit into the surrounding urban fabric; Shadowing of the public realm; View impacts; Overlook and privacy impacts on neighbouring buildings; Impacts on the overall skyline;

## 6.0 Technical Comments

This five-unit multi-family dwelling is not able to be subdivided into five freehold lots until the building is constructed. As such, the entire development will be constructed with five separate water and sewer connections, separate addressing and garbage collection. Once complete, subdivision into five smaller lots will be considered subsequent to a registered Party Wall agreement.

### 6.1 Building & Permitting Department

- Demolition permits are required for any existing structures
- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s)
- Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
- Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this structure.

### 6.2 Development Engineering Department

- See attached Schedule "A" City of Kelowna Memorandum dated January 25, 2016.

<sup>5</sup> City of Kelowna Official Community Plan, Policy 7.3.1 (Infrastructure Chapter).

<sup>6</sup> City of Kelowna Official Community Plan, Policy 7.7.2 (Infrastructure Chapter).

<sup>7</sup> City of Kelowna Official Community Plan, Policy 5.2.1 (Development Process Chapter).

<sup>8</sup> City of Kelowna Official Community Plan, Policy 5.5.1 (Development Process Chapter).

## 7.0 Application Chronology

Application Received: December 12, 2015  
Public Information Session Completed: February 26, 2016

Report prepared by:

---

Tracey Yuzik, Planner

Reviewed by: ☐ Terry Barton, Urban Planning Manager

Approved for Inclusion: ☐ Ryan Smith, Community Planning Department Manager

### Attachments:

Schedule "A" City of Kelowna Memorandum  
Conceptual Site Plan  
Conceptual Elevations  
Conceptual Landscape Plan  
Permeable Paving Unit Information

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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** January 25, 2016  
**File No.:** Z15-0065

**To:** Community Planning (TY)

**From:** Development Engineering Manager

**Subject:** 990 Guisachan Rd

RU1 to RM3

Development Engineering Department have the following comments and requirements associated with this application. The road and utility upgrading requirements outlined in this report will be a requirement of this development.

The Development Engineering Technologist for this project is Sergio Sartori

1. Domestic Water and Fire Protection

- (a) The existing lot is serviced with 19mm diameter water service. The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The estimated cost of this construction for bonding purposes is **\$10,000.00**
- (b) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures. The City of Kelowna water meter contractor must salvage existing water meters, prior to building demolition. If water meters are not salvaged, the developer will be invoiced for the meters.

2. Sanitary Sewer

- (a) The existing lot is serviced with a 100mm diameter sanitary service. The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size and preferred location of the new services. The estimated cost of this construction for bonding purposes is **\$10,000.00**

3. Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for these sites which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems.
- (b) The subject development must include the design of a piped drainage system for Guisachan Rd fronting the subject lots and the lane, including road improvement construction. The cost of the work is included in the road design calculations.

#### 4. Road Improvements

- (a) Guisachan Rd must be upgraded to an urban standard along the full frontage of this proposed development and the lane frontage, including curb and gutter, sidewalk replacement, landscaped boulevard complete with street trees drainage system including storm main, catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The estimated cost of this construction for bonding purposes is **\$31,500.00**.
- (b) Provide a Signs, Pavement Markings and Traffic Control Devices Drawing for Guisachan Rd.

#### 5. Road Dedication and Subdivision

- (a) Grant Statutory Rights Of Way if required for utility services.
- (b) Lot Consolidation is required.
- (c) Dedicate ~3.1m width along the full frontage of Guisachan Rd to achieve a 25.0m road right of way.
- (d) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

#### 6. Electric Power and Telecommunication Services

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground.
- b) Streetlights must be installed on Guisachan Rd if needed.
- c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- d) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

#### 7. Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the city engineering department for review and marked "issued for construction" by the city engineer before construction may begin.

8. Design and Construction

- (a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- (b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- (c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- (d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- (e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

9. Servicing Agreements for Works and Services

- (a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- (b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

10. Geotechnical Report

As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- (a) Area ground water characteristics.
- (b) Site suitability for development, unstable soils, etc.
- (c) Drill and / or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- (e) Additional geotechnical survey may be necessary for building foundations, etc.

11. Bonding and Levy Summary(a) Bonding

Water service upgrades	\$ 10,000
Sanitary sewer service upgrades	\$ 10,000
Guisachan Rd frontage improvements	\$ 31,500
<b>Total Bonding</b>	<b>\$51,500.00</b>

NOTE: The bonding amount shown above are comprised of estimated construction costs escalated by 140% to include engineering design and contingency protection and are provided for information purposes only. The owner should engage a consulting civil engineer to provide detailed designs and obtain actual tendered construction costs if he wishes to do so. Bonding for required off-site construction must be provided and may be in the form of cash or an irrevocable letter of credit, in an approved format.


The owner must also enter into a servicing agreement in a form provided by the City.

12. Development Permit and Site Related Issues

## Access and Manoeuvrability

(i) The access to the site is from lane only.

(ii) Indicate on the site plan, the locations of loading bays as well as the garbage and recycle bins as required.

  
\_\_\_\_\_  
Steve Muenz, P. Eng.  
Development Engineering Manager  
SS

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**CITY OF KELOWNA**

**MEMORANDUM**

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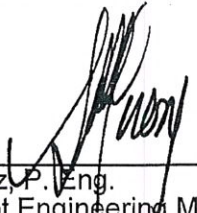
**Date:** January 25, 2016  
**File No.:** OCP15-0019  
**To:** Community Planning (TY)  
**From:** Development Engineer Manager (SM)  
**Subject:** 990 Guisachan Rd

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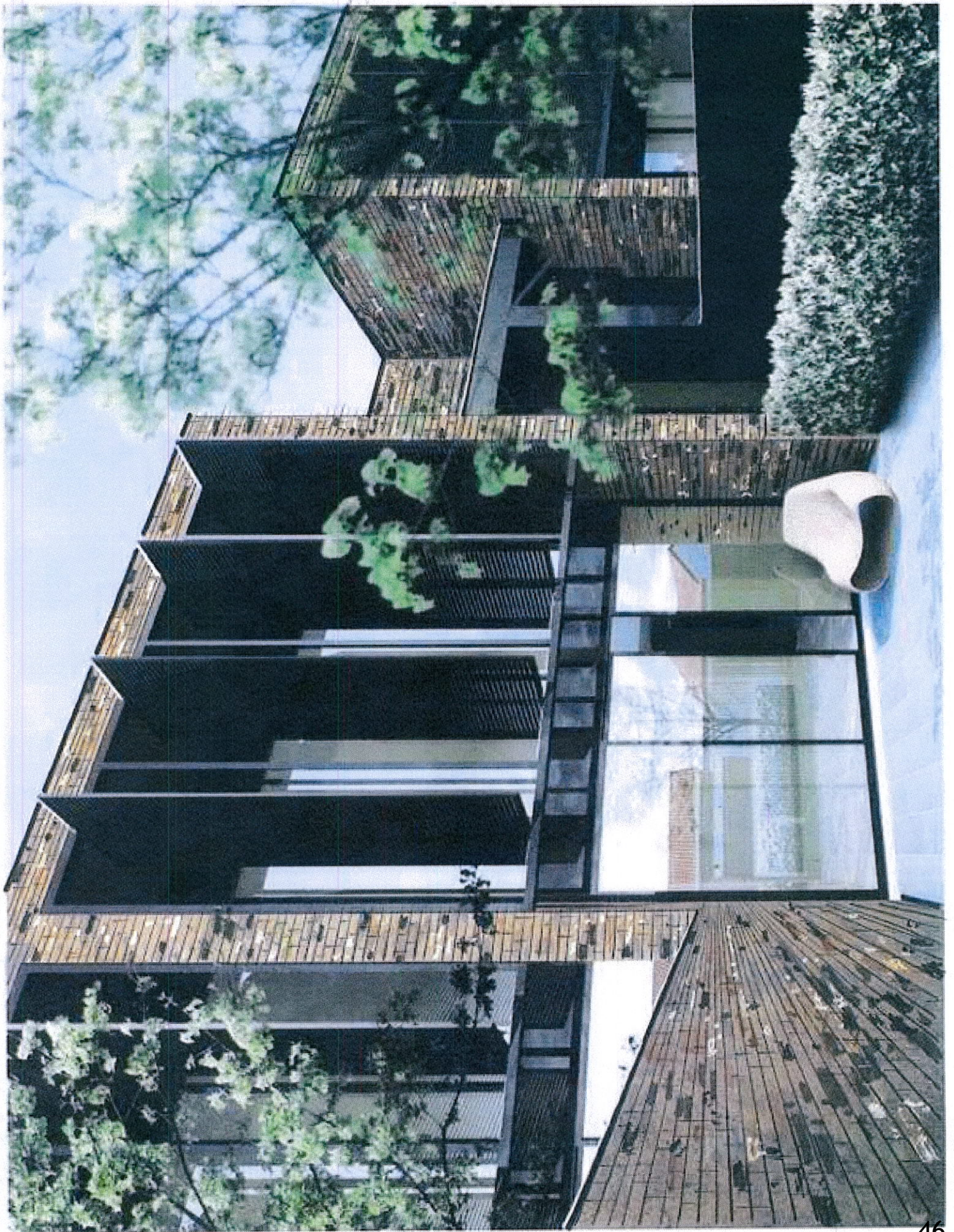
The Development Engineering comments and requirements regarding this OCP amendment application are as follows:

1. **General.**

- a) All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z15-0065.

  
\_\_\_\_\_  
Steve Muenz, P. Eng.  
Development Engineering Manager

SS





MR. ROSEN  
1302 MINE HILL DRIVE  
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www.johnrosen.com  
(250) 212-1155

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PROJECT NORTH

REVISION	DATE	DESCRIPTION
A	22 JAN 2016	ELEVATION SITE ELEVATION

PROJECT

TOWNHOME DEVELOPMENT  
990 GUISACHAN ROAD  
KELOWNA, BC V1Y 9W8  
LOT 2 PLAN KAP1470

DRAWING TITLE

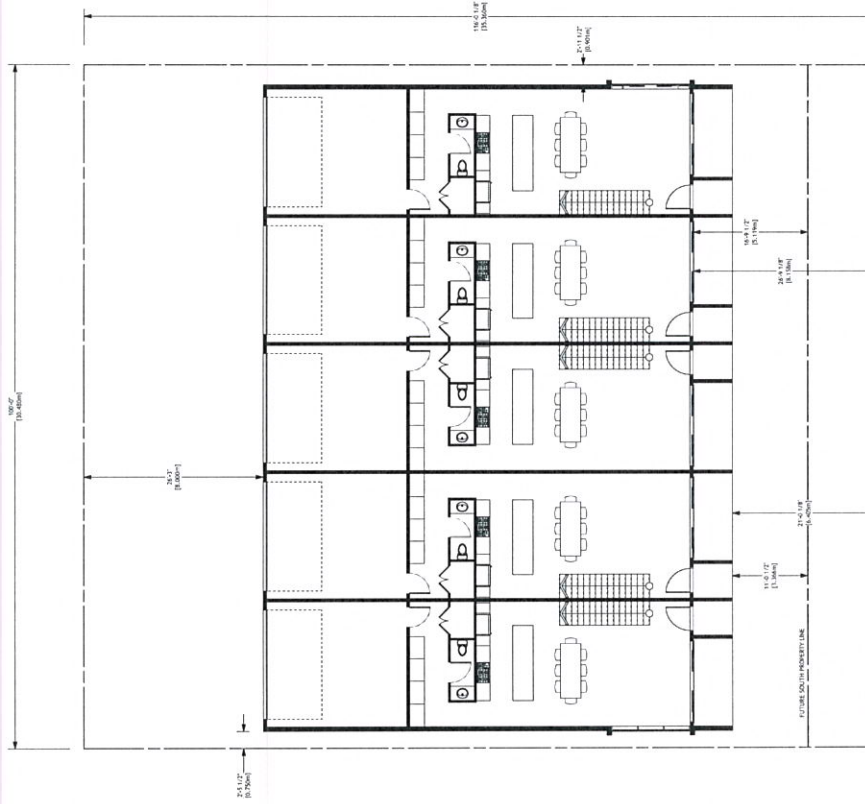
SITE PLAN

DATE

NOVEMBER 25, 2015

DRAWING NUMBER

7 of 7



GUISACHAN ROAD



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WWW.INSDESIGN.COM  
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PROJECT NORTH

REVISION	DATE	DESCRIPTION
A	22 JAN 2016	ELUOVINA & SITE REVISIONS

PROJECT

TOWNHOME DEVELOPMENT  
990 GUISACHAN ROAD  
KELOWNA, BC V1Y 9W8  
LOT 2 PLAN KAP1470

DRAWING TITLE

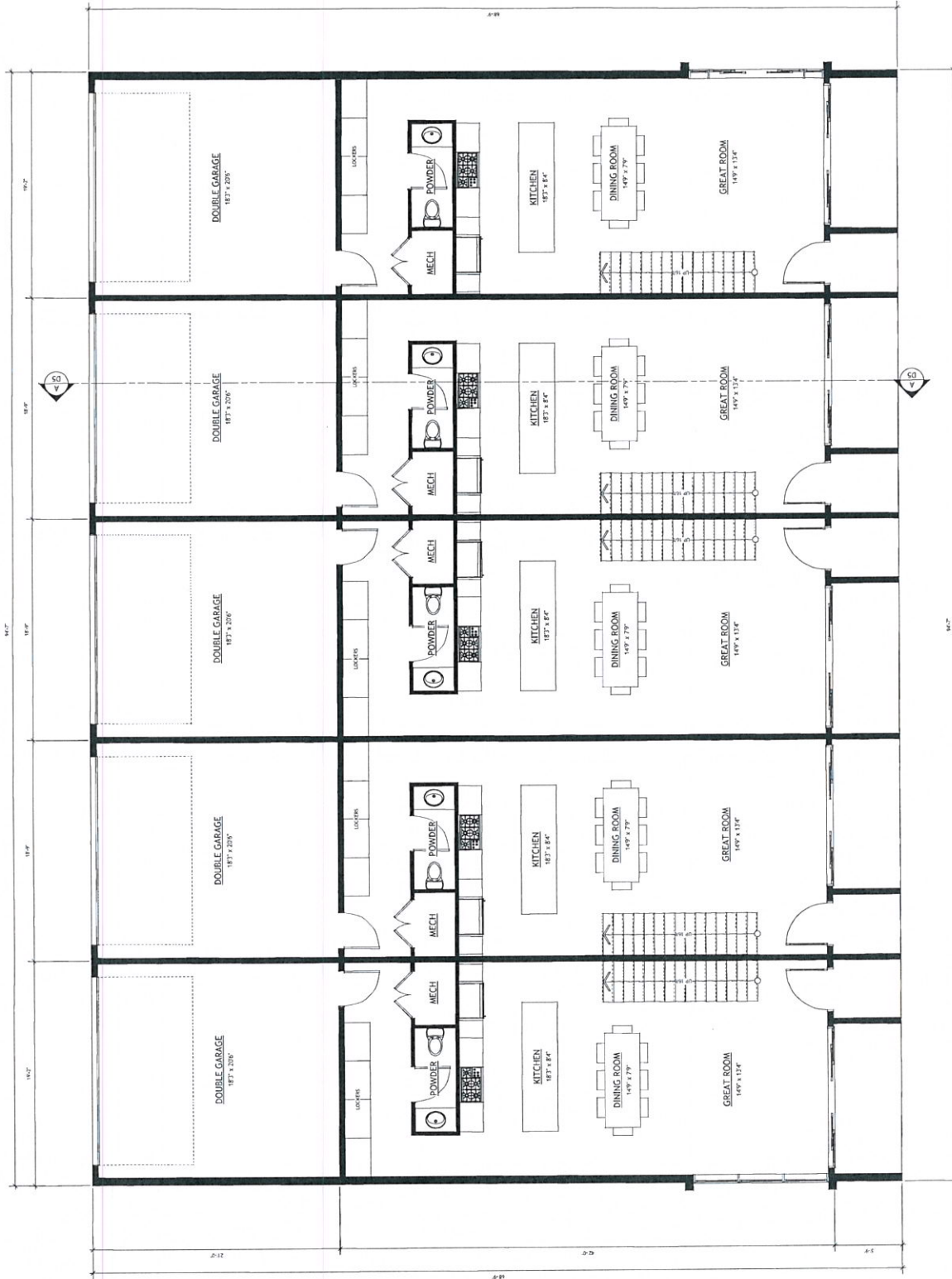
MAIN FLOOR PLAN

DATE

NOVEMBER 25, 2015

DRAWING NUMBER

3 of 7



1 MAIN FLOOR PLAN  
SCALE: 1/4" = 1'-0" INDIVIDUAL FPA = 755 SQ. FT. (70,140 sq. ft.)



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PROJECT NORTH

REVISION	DATE	DESCRIPTION
A	22/04/2016	ELEVATION & DATE REVISION

PROJECT

TOWNHOME DEVELOPMENT  
990 GUISACHAN ROAD  
KELOWNA, BC V1Y 9W8  
LOT 2 PLAN KAP1470

DRAWING TITLE

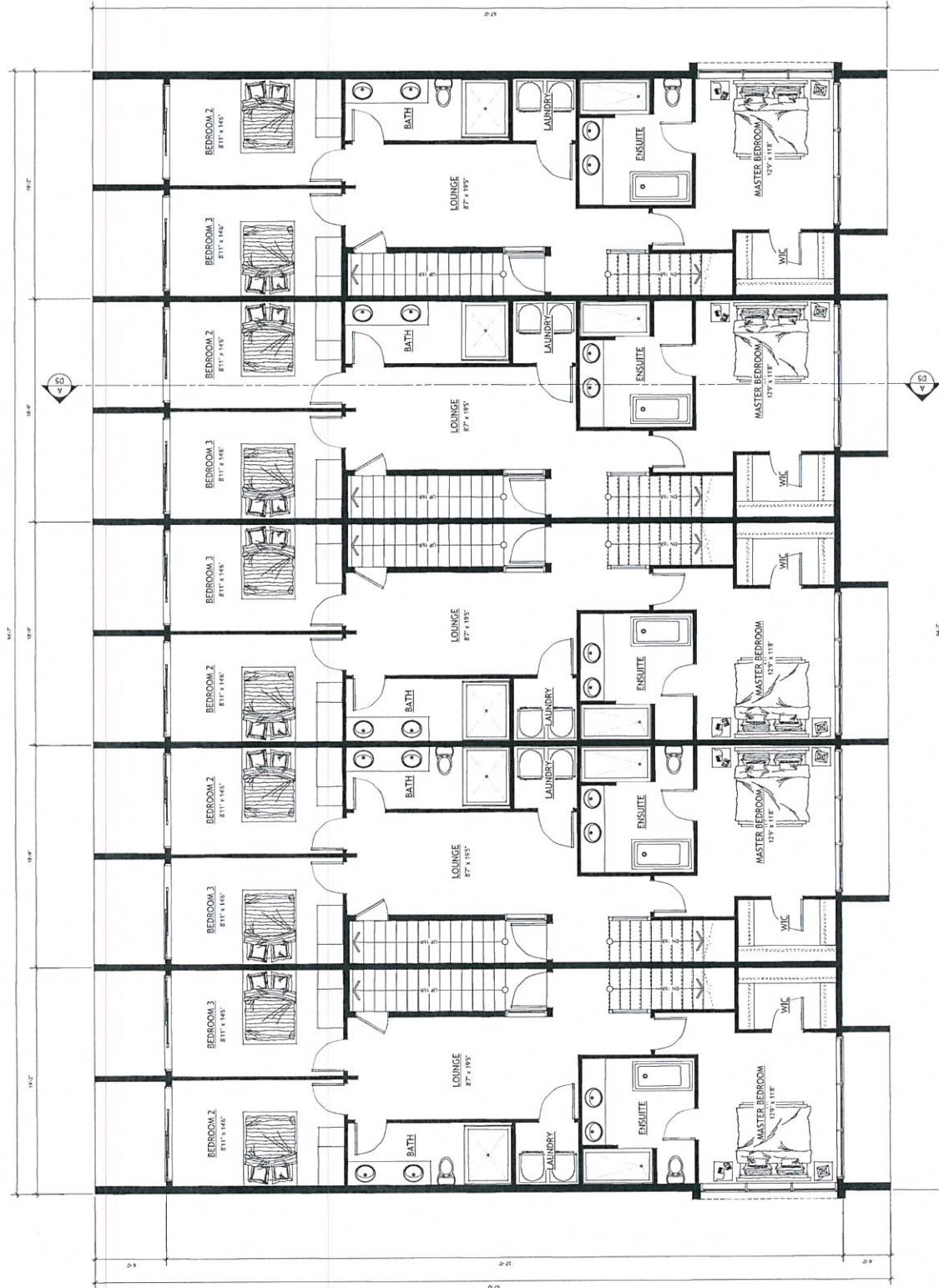
SECOND FLOOR PLAN

DATE

NOVEMBER 25, 2015

DRAWING NUMBER

4 of 7



1 SECOND FLOOR PLAN  
Scale: 1/4" = 1'-0" INDIVIDUAL FPA - 972 SQ. FT. [90.3m<sup>2</sup>]



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PROJECT NORTH

REVISION	DATE	DESCRIPTION
A	22 JAN 2016	ELEVATION & DATE REVISION

PROJECT

TOWNHOME DEVELOPMENT  
990 GUISACHAN ROAD  
KELOWNA, BC V1Y 9W8  
LOT 2 PLAN KAP1470

DRAWING TITLE

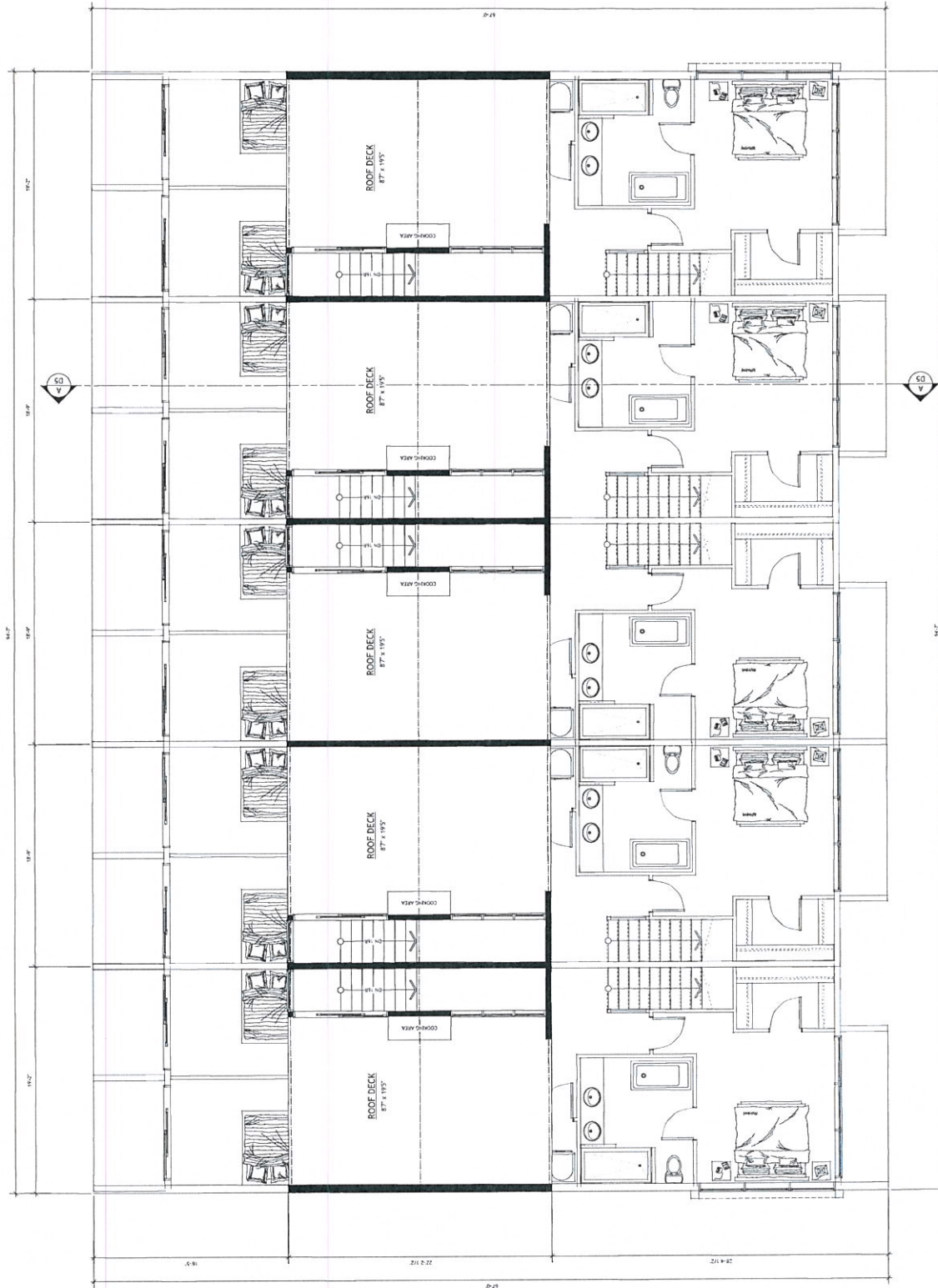
ROOF LIVING PLAN

DATE

NOVEMBER 25, 2015

DRAWING NUMBER

5 of 7



1 ROOF LIVING PLAN  
SCALE: 1/4" = 1'-0" (INDIVIDUAL TPA = 315 SQ. FT. [29.3m<sup>2</sup>])



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PROJECT NORTH

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A	22/02/2016	ELEVATION & SITE REVISIONS

PROJECT

TOWNHOME DEVELOPMENT  
990 GUISACHAN ROAD  
KELOWNA, BC V1Y 9W8  
LOT 2 PLAN KAP1470

DRAWING TITLE

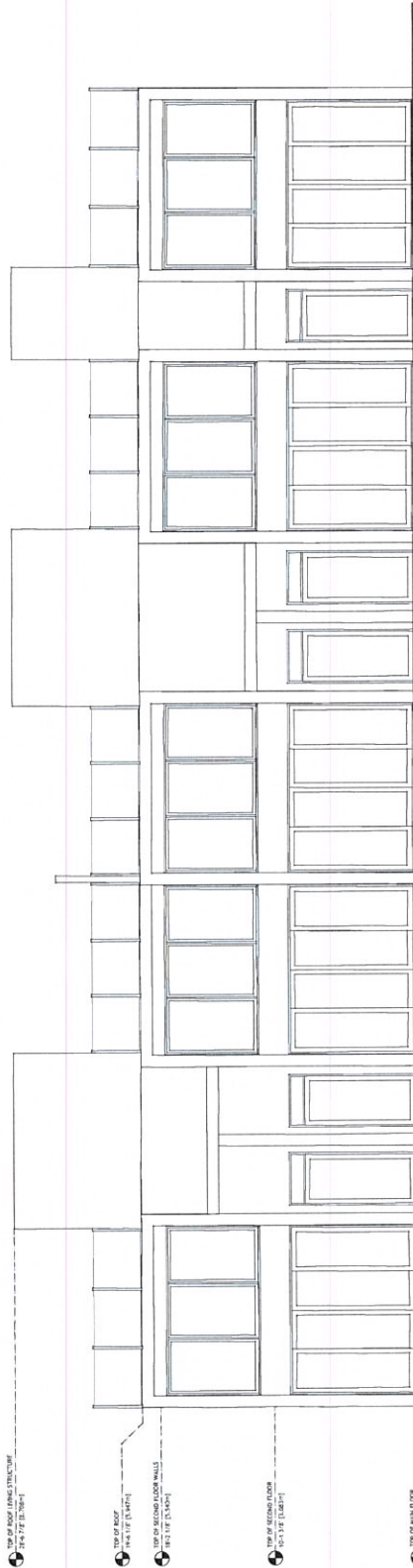
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DATE

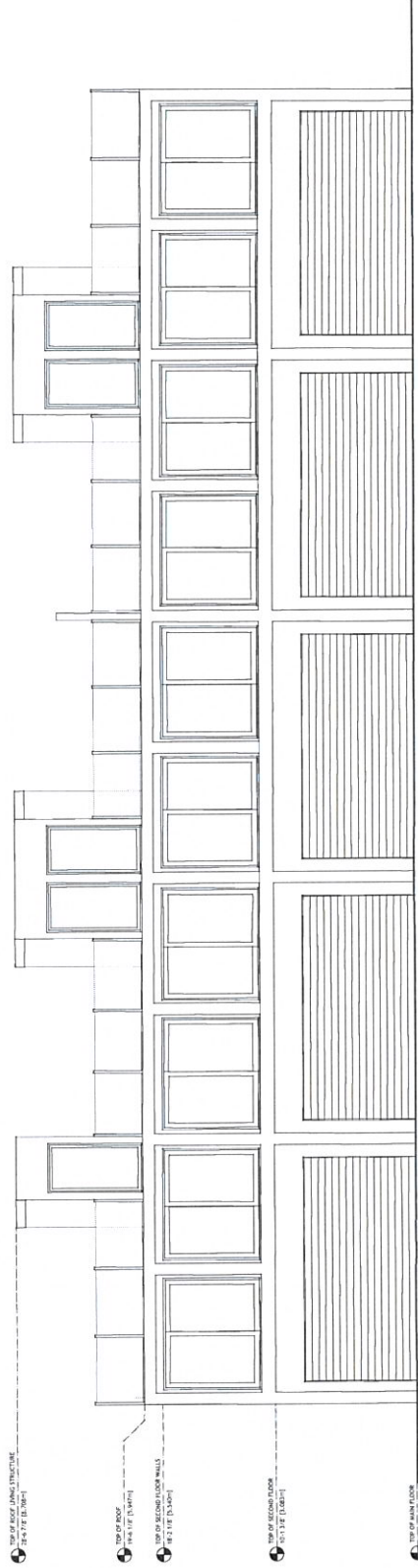
NOVEMBER 25, 2015

DRAWING NUMBER

1 of 7



1 SOUTH ELEVATION  
Scale: 1/4" = 1'-0"



2 NORTH ELEVATION  
Scale: 1/4" = 1'-0"



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PROJECT NORTH

REVISION	DATE	DESCRIPTION
A	22/04/2016	ELEVATION & SITE ELEVATIONS

PROJECT

TOWNHOME DEVELOPMENT  
890 GUISACHAN ROAD  
KELOWNA, BC V1Y 9W8  
LOT 2 PLAN KAP1470

DRAWING TITLE

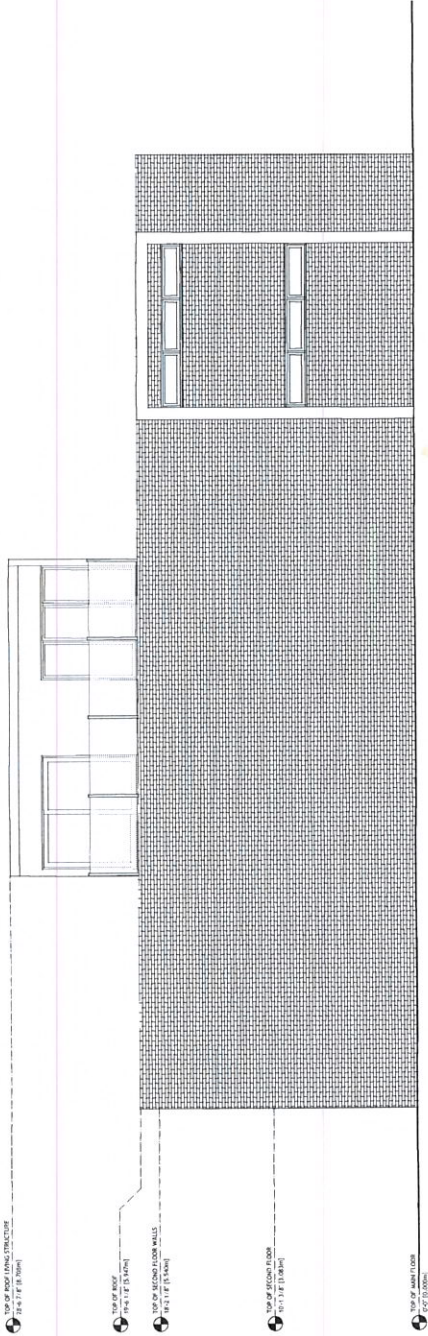
ELEVATIONS

DATE

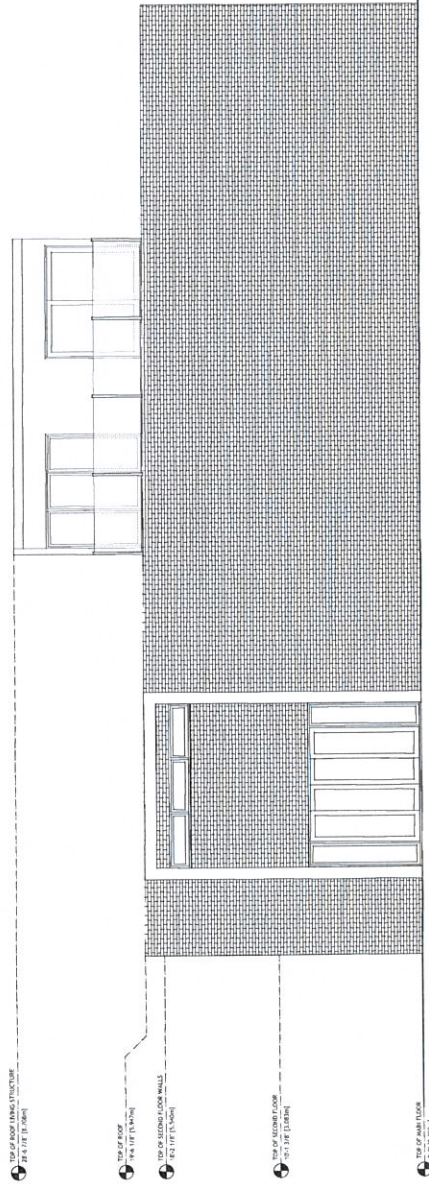
NOVEMBER 25, 2015

DRAWING NUMBER

2 of 7



1 WEST ELEVATION  
Scale: 1/4" = 1'-0"



2 EAST ELEVATION  
Scale: 1/4" = 1'-0"



## CONCEPTUAL LANDSCAPE PLAN

COLLEGE / REVIEW	
1	10-23-01 Review
2	
3	
4	
5	

PHYSICIAN PA	10000
PHYSICIAN BV	50
PHYSICIAN BY	70
PHYSICIAN BV	75
DATE	MM/YY 2012
SCALE	1-100

L7/2

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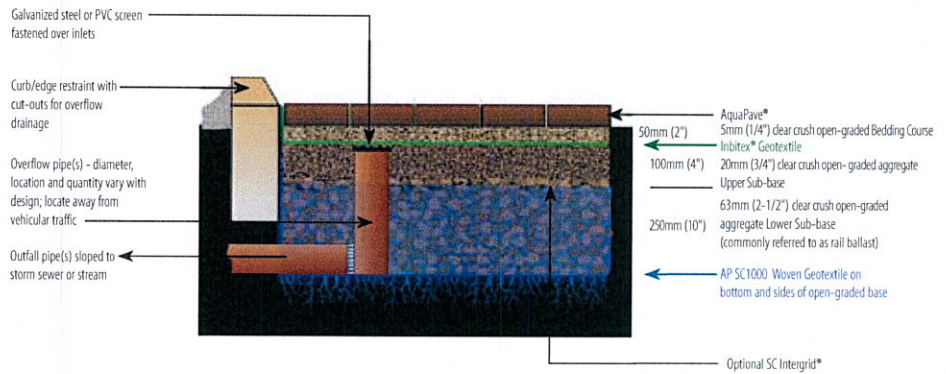
GRAND  
RIFOLI  
TRIS 7

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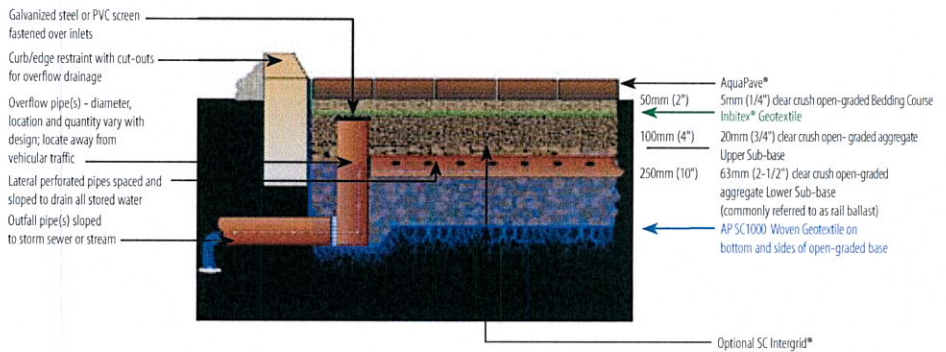
1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED C.I.N.A. STANDARDS.
2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FALLOUT AUTOMATIC IRRIGATION SYSTEM.
3. TREES AND SHRUBS MUST BE PLANTED IN A REGULAR SPACING AND MUCH TO NOT PLACE WEED MAT OVERSHADING TREES AND SHRUBS BEDS.
4. TREES AND SHRUBS BEDS TO RECEIVE LAMINUM 300mm DEPTH TOPSOIL PLACEMENT.
5. THREE AREAS OF SOIL SHALL BE IN 1 GRADE GROWN ROW AND SHRUB BEDS. IMPROVED CULTIVARS RECOMMENDED FOR SALE IN N.C. AND CHANGING CLIMATE ZONE SHALL BE USED. PLANT MATERIAL SHALL BE PLANTED WITHIN 14 DAYS OF THE END OF THE GROWING SEASON. PLANT MATERIAL SHALL BE PLANTED WITHIN 14 DAYS OF THE END OF THE GROWING SEASON. PLANT MATERIAL SHALL BE PLANTED WITHIN 14 DAYS OF THE END OF THE GROWING SEASON.

# Typical Systems and Exfiltration Options *(Modify to site conditions)*

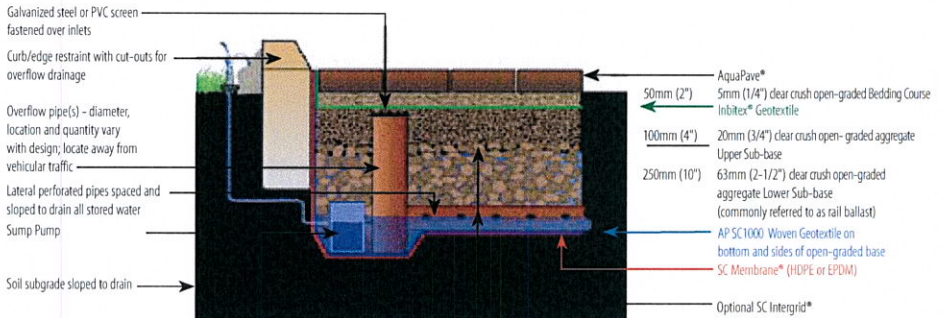
## Full Exfiltration System



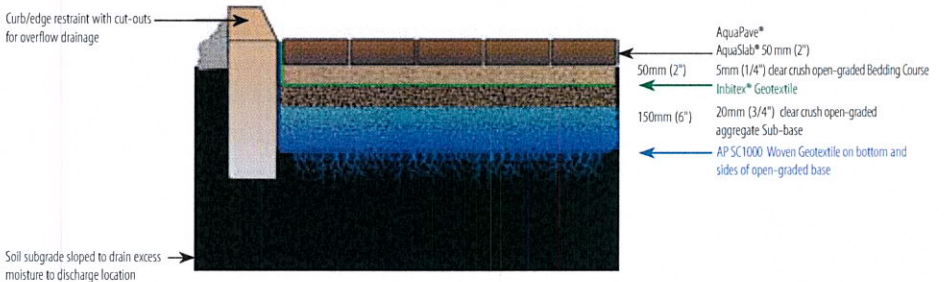
## Partial Exfiltration System



## No Exfiltration System



## Typical Residential Driveway/Sidewalk Construction



- On all designs:
- Open-graded base thickness varies depending on water management and/or structural requirements.
  - For pedestrian sidewalks or residential driveway applications only the 20mm clear crushed open-graded aggregate, upper sub-base is required. This should be a minimum of 6".

